

# Law Enforcement News

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## In this issue:

**Around The Nation:** A coast-to-coast roundup of police news. **Pages 2, 3.**

**Saddle up, boys:**

'Possemania' grips an Arizona county. **Page 3.**

**People & Places:** Mum's the word in Arkansas; new chief may be the last of his kind; Toledo PD gets Galvin-sized; inmates are lifesavers; 'Dahmer cops' get reinstated. **Page 4.**

**Gates at issue in LA,** as court rejects controlled access to community.

**Page 5.**

**The FBI takes a new look at hate crimes.** **Page 5.**

**A step ahead of the news:** Tulsa PD tries to avert a repeat of domestic violence tragedy. **Page 5.**

**How much is it worth to avoid a prison sentence?** In one Georgia county, \$200,000 might do the trick. **Page 7.**

**Who will jail juveniles in Kentucky?** A feud simmers with Federal funding at stake. **Page 7.**

**Connecticut gets even tougher on handguns.**

**Page 7.**

**Forum:** Pepper spray is no magic bullet. **Page 8.**

**Burden's Beat:** Another underutilized resource for law enforcement. **Page 9.**

**Eleventh-hour reversal:**

New York will start up a DNA data base after all.

**Page 9.**

**After 12 years,** a town in Pennsylvania changes its mind about mandatory gun ownership. **Page 9.**

**Packing up their cares and woes:** Florida starts deporting illegal aliens from its prisons. **Page 10.**

**Upcoming Events:**

Professional workshops and conferences of interest. **Page 11.**

## What kind of watchdog is in store for the NYPD?

By Jacob R. Clark

A political battle is taking shape over a central element in a report issued this month on corruption in the New York Police Department: the proposal to create an independent outside agency with broad investigative powers, including the ability to subpoena witnesses, to oversee the department's corruption-fighting efforts.

While neither Mayor Rudolph Giuliani nor Police Commissioner William Bratton have yet to endorse the primary recommendation of the Commission to Investigate Allegations of Police Corruption, City Council Speaker Peter F. Vallone introduced legislation July 19 that would create a five-member oversight panel.

Under Vallone's plan, which the Speaker said has enough votes to assure passage, two members would be appointed by the Mayor, two by the City Council, and one would be appointed jointly. Vallone proposed a panel with 25 staff members, including 15 investigators, and an estimated budget of \$3 million, which the Speaker said could be funded by shifting funds from the Police Department's \$1-billion budget.

### Lengthy Prescription for Reform

In its report released July 7, the corruption panel — known informally as the Mollen Commission, after its chairman, former appellate judge Milton Mollen — called for the establishment of a five-member "permanent external Police Commission independent of the Department" with "unrestricted access [its] records and personnel" and "the power to subpoena witnesses and documents; the power to administer oaths and take testimony in private and public hearings; and the power to grant use immunity."

The recommendation was among nearly 150 made by the commission as a result of its 22-month investigation into police corruption that began shortly after the arrest by Suffolk County police of a group of drug-dealing New York City cops. Among those arrested was 10-year veteran Michael Dowd, who

ran a cocaine-trafficking ring while working in two Brooklyn precincts.

Dowd had been the subject of 16 drug-related corruption complaints since 1986, and his case provided a glaring example of how the department's corruption-fighting capabilities failed. [See sidebar]

The commission found that that ability had "completely collapsed" during the mid-1980's —

### Hard time awaits "the dirtiest cop ever." See Page 6.

partially because of high-ranking officials' apparent fear of attracting bad publicity to the department — allowing bands of "meat-eaters" — aggressively corrupt cops who stole cash and sold drugs taken from drug dealers, brutalized citizens and committed other crimes — to operate with impunity.

Both Giuliani and Bratton have made statements that did not rule out support for the independent body. While Bratton did not immediately return calls from LEN, a spokesman for Giuliani said on July 19 that the Mayor would announce his views on the report "within the next few days."

### Breaking the 20-Year Cycle

"He's already said he thinks the Mollen proposal is an interesting one, and he's floated a couple of ideas of his own previously," said Bill Warren, a spokesman for Giuliani. "It's a bit up in the air at the moment. Vallone's proposal is being floated along with a couple of others that have been put to him by the district attorneys and members of his administration."

Giuliani has said he favors an independent body along the lines of the Office of the Special Prosecutor, which was created after the NYPD corruption scandal of the early 1970's and which was disbanded in 1991, or giving the monitoring powers to the city's Department of Investigation. But sources interviewed by LEN said they felt the type of body

recommended by the commission is imperative to break the 20-year cycle of scandal, reform and complacency that has haunted the department throughout this century.

"There are other possible approaches, but we think that offers the best approach for a really meaningful, long-range solution to the problem," said Mollen. "If they put a permanent commission in place, I think it will help to prevent [the 20-year cycle of corruption scandals]." The recent scandals might have been avoided if such a commission were already in place, he added.

Mollen said Giuliani told him he has "an open mind" on the creation of a Police Commission "and that he's considering it." Mollen, who has agreed to testify in support of Vallone's proposal at a City Council hearing next month, insisted that the panel must be independent not only of the Police Department, but of partisan politics as well.

"It's also possible that it could be done by the Mayor's executive order, just as he set up the temporary commission," he told LEN. "Of course, the budget has to be approved by the City Council, so I guess they have to have some say in it anyway."

Manhattan District Attorney Robert Morgenthau, whose office helped the Mollen Commission investigate a police-run drug ring in the borough's 30th Precinct, where over a dozen officers were arrested earlier this year, told The New York Times he opposes the establishment of an independent body to monitor the Police Department. "What is needed is some group with an audit function, but not an independent investigator. I fear that this would interfere with the investigations being conducted by the district attorneys or by the Police Department."

### "Not Many Alternatives"

Joseph Trimboli, the former NYPD internal affairs investigator whose dogged, six-year efforts to nail Dowd were met with near-total official indifference and obstruction, told LEN that the independent body represented the "cornerstone" of

Continued on Page 6

## God is my co-pilot:

## Knoxville police launch chaplain corps

By Stephen Donohue

Arriving in their own department-issued cruisers, Knoxville, Tenn., ministers will soon respond to emergency calls along with regular officers.

The Knoxville Police Chaplains Corps developed out of an offer the department made to the local clergy in

January — to ride along with beat officers and see their neighborhoods from a cop's perspective.

"We have had a tremendous response on it," said Knoxville Police Lieut. Raymond Malone.

The primary responsibility of Chaplains Corps members will be to support officers at crime and accident scenes. "Their role will be to assist upon request from the patrol units or request from a witness or a victim of a crime," said Sgt. Charles Newman.

Communication will be the ministers' key tool. "They do a lot better job communicating than some of the police officers," Newman said. "After a while, some people tend to think police officers get a little cold."

While the ride-along offer was open to any Knoxville minister, admissions to the Chaplains Corps will be selective. Applicants will have to pass polygraph and drug tests. Among some of the questions they will be asked are whether

they have ever been convicted of a felony, and if they are willing to work with clergy from other religions.

"Everybody has religious convictions, but are they willing to work with an interfaith group?" said the coordinator of the Chaplain Corps, the Rev. John Popejoy, who is also the chaplain for the local FBI office. "The ones that we've selected have all said they would have no problem with that."

Initially, 30 ministers will be chosen for the program, which will eventually be expanded to a full compliment of 36. The ministers begin a one-month training course on July 16 at the Knoxville Police Training Academy. There

they will take a defensive-driving course and also learn basic police policy, radio operation and how to deal with certain types of crime, including domestic violence.

When the program kicks off on Sept. 2, one minister will work each day. During an eight-hour shift, the chaplain will ride along on tour with an officer and remain on call for the rest of the day.

While on call, the chaplains will be issued a pager and a police cruiser, which will most likely be unmarked. "They'll be unarmed and there is no use in putting them out there in a neon

Continued on Page 10

## What They Are Saying:

"It's been a long road. I realized when I attended the sentence, it was finally over, and thank God, it is."

— Former New York City police Sgt. Joseph Trimboli, reacting to the 14-year Federal prison sentence imposed on Michael Dowd, a corrupt cop he pursued for nearly six years. (6:3)

### Attention, LEN readers:

During July and August, Law Enforcement News will be published once each month. We will resume our regular twice-monthly publishing schedule with the September 15 issue. Have an enjoyable and safe summer.

# Around the Nation

## Northeast



**CONNECTICUT** — Four Norwich police officers made so much money in overtime during 1993 that they surpassed the salary of Police Chief Richard Abele. City officials said they would try to limit the amount of overtime in the next budget.

Two men were killed and 36 injured this month at the Carl Robinson Correctional Institution in Enfield in one of the most violent prison melées the state has seen in decades. While prison officials blamed the violence on a Hartford-based prison gang called 20 Love, they agreed that some of the blame had to be placed on the dormitory-style facilities at the medium-security prison, which make it difficult to isolate violent inmates or lock down the facilities. Area residents were not notified of the trouble until more than an hour after it began. Prison officials said the warning was delayed because there was never any danger of inmate escapes.

**DELAWARE** — The city of Wilmington purchased \$10,000 in graffiti-removal equipment this month. Laws banning the sale of spray paint to minors and outlawing the writing of graffiti have failed to stop vandals.

**DISTRICT OF COLUMBIA** — City Council members have criticized as a political ploy legislation to test city employees and applicants for drugs and alcohol, which was proposed just days before the council recessed for the summer. The bill does not specify who would be tested, and whether such testing would be mandatory or random.

**MAINE** — The Maine Supreme Court ruled this month that microphones and cameras will be allowed in civil trials and arraignments, and at sentencing in criminal cases.

**MARYLAND** — A University of Maryland study released last month found a 50-percent increase over the past four years in the number of people statewide who believe that adults should be allowed to possess a small amount of marijuana for personal use. The number grew from 15 percent in 1990 to 22.3 percent in 1994. Seventy-three percent of those polled, however, do not support decriminalization of marijuana.

**MASSACHUSETTS** — The Boston Police Department is under fire for lacking a standard method for identifying suspects, after an application for a criminal complaint was filed against the wrong man this month. John Doyle, 21, was cleared of all charges in the assault and harassment of three black women. There is no set procedure, said a police spokesman, because "every case is different and every detective is different." Home visits by police to verify identifications are a "luxury," said a spokeswoman for the Suffolk County District Attorney's office.

**NEW JERSEY** — Over 6,600 pounds of cocaine estimated to be worth \$1 billion were unveiled by Federal authorities this month at Port Newark-Elizabeth, what was said to be the largest cocaine seizure in state history. Officials say the shipment was the work

of the Cali cartel, the world's largest cocaine-trafficking organization. Authorities, who found the cocaine hidden inside a shipment of roofing materials shipped from South America, waited for the cocaine to be picked up from an empty lot in Brooklyn, N.Y., and arrested three men.

Police in the primarily white town of Pennsauken are abandoning their plan to randomly stop cars coming from mostly black and Hispanic Camden.

**NEW YORK** — Amnesty International, the human rights organization, criticized the New York City Police Department in its annual report on torture and political oppression, released this month. The group protested the deaths of several suspects at the hands of officers in 1993, saying the actions "may have amounted to torture" and violated international standards. The report went on to voice concern over the "growing number" of cases in which a suspect is restrained by force or placed face down

The U.S. Attorney's office in Manhattan brought in some \$50 million in seized assets in 1993 -- \$17 million more than the office's annual budget. The assets included a single-room-occupancy hotel that had turned into a veritable drug supermarket, and a concrete company once owned by mobsters Paul Castellano and Anthony "Fat Tony" Salerno. So far this year, nearly \$24 million has been seized.

A revised report on violence in New York City's public schools showed an increase of 30 percent during the first part of the academic year when released this month. Schools Chancellor Ramon Cortines ordered the revision after discovering that many principals had underreported incidents in their schools. The most violent incidents -- rapes, robberies, assaults and drug offenses -- rose by 41 percent over the same period last year.

New York Mayor Rudolph Giuliani and Police Commissioner William Bratton announced a plan this month to crack down on "quality of life" crimes. The plan will give precinct commanders leeway to create their own strategies for dealing with local problems. The plan includes using precinct personnel to conduct prostitution decoy operations; cracking down on reckless bicyclists, and conducting stings to bust businesses selling liquor to minors.

**PENNSYLVANIA** — A Federal civil rights suit was filed this month against the City of Philadelphia and Police Officer Kevin Powell by a woman who was allegedly raped by Powell and another who claims Powell attempted to rape her. The assaults allegedly occurred within two days and several blocks of each other in May while Powell was on patrol in Northwest Philadelphia. Powell, 37, who has been an officer for less than a year, was suspended last month with intent to dismiss. He was charged with rape, involuntary deviate sexual intercourse, false imprisonment and related offenses.

Philadelphia's Police Advisory Commission named former FBI agent Charles P. Kluge Jr. as its executive director this month. Kluge, 56, has been with the FBI since 1970 and served in the bureau's organized-crime division and as its civil-rights coordinator.

## Southeast



**FLORIDA** — An angry mob shot and killed a Miami man this month after he accidentally hit an 11-year-old girl who had run in front of his car. Charles Bell, 44, was on his way home when Victoria Williams dashed into the street to see a fight that had broken out at a card game. According to witnesses, Bell had gotten out of his car to see if Williams was hurt when he was robbed and beaten by a group of men, then shot to death. Williams received only minor injuries.

A Tampa woman went on trial this month for hiring a hitman to murder her abusive, deformed husband. Mary Stiles' husband, Grady, was a carnival sideshow performer known as the "Lobster Boy" because of his clawlike hands. Although Stiles had only two fingers on each hand and was wheelchair bound, his wife said he was an alcoholic brute who beat her and their children and repeatedly threatened to kill them. She had no choice, she said, but to pay a neighbor \$1,500 to shoot Stiles in 1992.

Florida Highway Patrol Troopers Kevin Connor and Mariano Cuesta were honored last month as the 1994 Troopers of the Year and received the patrol's Medal of Valor. Connor, 35, shot and injured a man attempting to rob four pedestrians. Cuesta, 31, was dragged by a stolen vehicle he and an Opa-Locka police officer had pulled over as the driver tried to pull away. He suffered minor injuries when one of the passengers opened fire. Cuesta returned fire and killed the driver.

Five Community Juvenile Justice Partnership Grants worth a total of \$429,424 were awarded this month to programs in Hillsborough County by the newly formed state Juvenile Justice Department. Some 110 programs statewide received \$8.2 million that was raised by a 50-cent tax on license tags.

**GEORGIA** — McIntosh County sheriff's deputy Virginia King, 37, reportedly had a blood-alcohol level of .18 when she recently drove off the road at 100 mph, killing herself and her 44-year-old brother, Delmon Washington.

**TENNESSEE** — The anti-crime remarks of a Memphis Criminal Court judge caused some 700 members of the summer jury pool to be excused last month because of possible taint. According to a complaint by the public defender's office, Judge Joseph McCarlie prejudiced potential jurors when he told them that the courts have many repeat offenders who serve only a fraction of their sentences before release.

**VIRGINIA** — Under a new policy, state troopers will no longer be required to investigate any car wreck with damages of less than \$1,000 unless the accident involves injuries or fatalities, or is a hit-and-run. The policy, said Col. M. Wayne Huggins, will free more troopers for highway safety work such as speed and DUI enforcement.

Karen Darner, a member of the House of Delegates, said this month

that while she will introduce a bill decriminalizing oral sex -- currently on the books as a felony -- the chances for passage are not promising. Lawmakers fear that supporting such a bill could be construed as condoning the activity.

## Midwest



**ILLINOIS** — Demand for child car seats loaned out by the Crystal Lake Police Department has become so great that the department has had to purchase eight more. The program, started in April, lends the car seats out to families who are visiting with a child, vacationers, and others. Police Chief Keith Nygren said no one has yet failed to return one. The additional car seats, which brings the department's total up to 15, were bought with a \$1,000 donation from the local Rotary Club.

The appointment of Karla Osantowski as Police Chief of Chicago Heights is being hailed by reformers as a clean start for a city whose reputation for corruption and dirty dealing pre-dates Al Capone. Osantowski, who will replace Chief Charles Nardoni on Aug. 1, is a former assistant state's attorney in Cook County.

**INDIANA** — Eleven rangers have been hired to patrol the 125 parks in Indianapolis. The rangers, who received special deputy training with the Marion County Sheriff's Office, will carry 9mm. handguns and drive specially designed patrol cars. The rangers, who will patrol the parks from 10 A.M. to 10 P.M., will be chiefly concerned with such problems as illegal dumping, vandalism, and curfew violations, and will be paid a salary equal to that of county deputies.

**MICHIGAN** — Two "truth in sentencing" bills were passed last month by the state Senate that require offenders to serve at least the minimum sentence for serious crimes and add additional time for misbehavior. Gov. John Engler is expected to sign the bills.

Lawyers and counselors for battered and sexually abused women are weighing the pros and cons of developing a policy whereby prosecutors could move ahead with prosecuting sex criminals without the cooperation of the victim, much the same as many domestic abuse policies nationwide. Rape counselors say that while they favor any policy that takes sexual abuse seriously, taking away a victim's say in the prosecution of her assailant could be detrimental to the healing process following sexual assault.

In an unusual arrangement, three former Federal agents have joined forces in Grand Rapids to open a private detective agency that will investigate tax and financial fraud cases, drug cases, and accident reconstruction. Former FBI field office chief Robert DuHadway, 53, retired this month after 25 years, as did James Koperski, 52, a former head of the Internal Revenue Service's local criminal division. The firm's third partner, John Kendall, 50, had been a U.S. Marshal under President George Bush and was forced to retire when President Clinton was elected.

**OHIO** — Toledo Mayor Carty Finkbeiner donated \$5,700 this month to save the Toledo Police Little League, a ball team that helps keep youngsters out of trouble. Another \$1,000 was donated by U.S. Representative Marcy Kaptur.

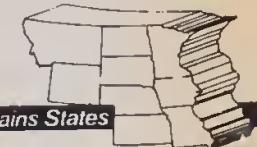
A ban on semiautomatic assault weapons was struck down by a Federal appeals court in Columbus this month.

Former North Bend Police Chief James Brown was sentenced to six months in prison last month for falsifying records and issuing fake driver's licenses to a high-risk driver. Judge Ralph Winkler told Brown that he would never serve in law enforcement again.

**WEST VIRGINIA** — Officials plan to install more razor wire in regional jails in the aftermath of inmate Robert Shepard's escape last month using a rope he braided from mint-flavored dental floss.

**WISCONSIN** — Serial killer Jeffrey Dahmer was injured slightly this month when another inmate tried to slash Dahmer's throat. The motive for the attack on Dahmer by a prisoner serving a 31-year sentence for drug and firearms violations is not known.

A prosecutor defended his decision this month to delay filing of marijuana possession charges against six members of the Glenview Police Department, despite criticism that he is applying a double standard. Two officers and four civilian employees were arrested by Milwaukee police after they were seen passing a marijuana cigarette. In addition, a small amount of marijuana was confiscated from one of those arrested. Citing the gravity of the case in terms of the officers' careers, Assistant Milwaukee County District Attorney Tom McAdams said that he will wait another two weeks before pursuing the case to allow for further laboratory tests.



## Plains States

**MINNESOTA** — The St. Paul City Council is considering an ordinance that would make it a misdemeanor to possess spray paint or a marker with an intent to write graffiti. The ordinance is part of an effort by authorities to combat graffiti before it can get a foothold. In addition, city administrators have proposed that graffiti be declared a public nuisance, allowing officials to order its removal by property owners. If the graffiti is not removed, according to the proposed ordinance, the city would remove it and bill the property owner.

**NEBRASKA** — State Attorney General Tom Monaghan said this month that law enforcement is losing the battle against violent crime. Monaghan backed up his assertion by citing a doubling in the number of juveniles arrested for murder over the past decade, along with the 38 inmates at the Douglas County Jail charged with first-degree murder.

**NORTH DAKOTA** — A state report released this month showed that most state residents overestimate how much alcohol they can consume before

# Around the Nation

becoming legally drunk, and thereby contribute to more drunken-driving accidents.



**ARIZONA** — A \$50,000 award was posted last month by the Drug Enforcement Administration in the death of agent Richard Fass. The agency identified the prime suspect as Augustin Vasquez Mendoza.

**COLORADO** — New dispatchers, new management and more money will be allocated to Boulder's overloaded 911 system, officials announced this month.

The Colorado Department of Public Safety and the Colorado Bureau of Investigation were mystified this month when a public hearing on the proposed formal guidelines for doing background checks on handgun buyers failed to bring in even one firearms dealer. More than 600 invitations had been sent out statewide with the bills for background checks, but an informal survey found that none of the dealers could recall seeing such a notice.

**NEW MEXICO** — The 10th U.S. Circuit Court of Appeals in Denver this month upheld the drug-conspiracy convictions of three men who had been caught in a sting operation orchestrated by the U.S. Customs Service. Enrique Pedraza, Alfonso Pedraza and Peter Irelan were convicted in Albuquerque in 1991, but challenged the verdicts on the grounds of "outrageous conduct" on the part of the Government for helping to smuggle the 1,644 pounds of cocaine into the country and for destroying or failing to record hundreds of phone calls between the defendants and a paid informant. The Court ruled, however, that none of these circumstances played a role in inducing the men into helping smuggle drugs into the country. The Court also closed the door on any motion for a mistrial.

**OKLAHOMA** — Tulsa police are investigating why a pepper gas canister failed to operate this month, leading to the shooting death of a suspect. According to Sgt. Steve Emmons, Officer Edward Buckspan attempted to neutralize Randy Leon Smith first with his baton and then with pepper spray. Buckspan had been responding to a complaint that Smith had beaten up a resident at an apartment complex. Smith apparently came at Buckspan swinging a 25-pound weightlifting bar. Buckspan, losing his baton in the ensuing struggle and then unable to operate his pepper gas canister, had no option but to shoot Smith, said Emmons. The Tulsa chapter of the NAACP is also probing the incident. [See Forum, Page 8.]

**TEXAS** — Minority and gay rights advocates complained this month that police agencies statewide are under-reporting bias crimes. San Antonio police have not reported any bias crimes in two years. [See related story, Page 5.]

An Austin man received plaudits this month from Dallas police after he stayed with an officer who had been shot in the face while investigating a

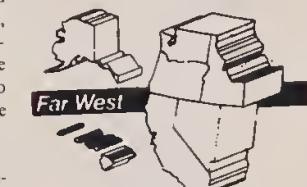
car break-in at his off-duty job at a motel. Officer Kenneth W. Hall is still looking for the assailant who came up behind him while he while he questioned a second suspect. Hall, 27, was shot in the cheek but is fine with the exception of a barely visible scar, some neck pain and an occasional earache. According to police, an unidentified Austin man stayed with Hall and comforted him until an ambulance came.

The Legislative Budget Board shifted \$114.6 million in funds this month to finance emergency prison construction and help reimburse county jails that have been holding state prisoners because of overcrowding. The money, which brings the total funding for prison construction to \$227.3 million since work on more than 13,000 new beds and temporary summer housing for inmates was approved, was taken from savings on state employee group health costs and the state treasurer's unclaimed money fund.

The Austin City Council is considering a curfew that would require teenagers under 17 to be off the streets by 11 P.M. Monday through Thursday and by midnight on weekends. Violation of the curfew could result in a \$500 fine.

Kristi Koslow, 19, may end up on the state's death row after a jury found her guilty last month of plotting to murder her stepmother, an oil heiress. Koslow, 17 at the time of the murder, persuaded her boyfriend and another youth to kill Karen Koslow, 40, for a multimillion inheritance. Mrs. Koslow was bludgeoned to death and her throat was cut. Her husband, Jack, also had his throat cut but survived the attack.

**UTAH** — A Salt Lake City woman, Judy Pratt, was awarded \$227,000 this month in a settlement of her wrongful-death suit. Pratt's husband was killed by a driver who was fleeing police.



**CALIFORNIA** — A Los Angeles judge ruled this month that there was sufficient evidence to try reputed gang member Raymond Butler for the March murders of two Japanese students, Takuma Ito and Go Matsura, during a carjacking. Butler's sister-in-law, Kelli Waquan, who was given immunity in return for her testimony, said she saw Butler push Ito to his knees, then heard gunshots.

The city of Los Angeles and its police union settled last month on a new \$50-million contract package that includes a 12-percent pay hike spread out over 18 months.

Raoul Saenz's third offense was reduced by San Diego Judge Thomas Duffy to a misdemeanor this month so that he would not be sentenced to life in prison under the state's new "three strikes" law.

The Los Angeles City Council this month agreed to pay out \$730,000 to settle three suits claiming police brutality and misconduct. More than half the

amount went to settle a suit filed by 26 people who claimed police used excessive force in breaking up their party five years ago.

The city of Los Angeles has agreed to upgrade 911 emergency services for people who use telephone devices for the deaf. The move is a result of complaints by the deaf community that the city failed to respond to calls from TDD users.

**NEVADA** — Lieut. Dennis Cobb of the Las Vegas Metropolitan Police Department was named as a 1994-1995 White House Fellow by President Clinton last month. Cobb, who studied law enforcement in England last year as a Fulbright Scholar, is said to be only the second active-duty law enforcement officer to win appointment to the White House Fellows program, which places gifted men and women in full-time paid positions for a year in the Executive Branch.

A state legislative subcommittee endorsed two proposed crime laws this month which have been alternately embraced and villainized by politicians, judges and prosecutors. The first proposal would remove the discretion of judges and prosecutors to decide when to prosecute someone under 18 as an adult. Any child over 14 who commits three violent felonies -- one involving a firearm -- would automatically be tried as an adult and not go through the juvenile justice system. The second would mandate when habitual criminal laws are to be used, removing the chance for prosecutors to use them as bargaining tools. The proposal would sentence any offender who commits three violent crimes or three sex crimes to life in prison. Judges and lawyers warn that the proposals would mean a huge increase in the number of offenders passing through the justice system and in prisons.

**WASHINGTON** — The FBI arrested prolific bank robber Johnny Madison Williams Jr. this month in Seattle. Williams, 43, confessed to robbing 56 banks in California, Texas, and Washington over an eight-year period -- the longest string of unsolved bank robberies ever investigated by the bureau. Some of the robberies were carried out with the help of Williams's wife, Carolyn. A logbook meticulously maintained by the couple showed that they stole a total of \$879,357. They have been charged with four counts of bank robbery and one count of using a firearm in a crime of violence.

Kevin Gardner, an armored truck driver in Spokane, was fired this month for leaving his vehicle unattended while he helped a woman who was being robbed. Officials of Loomis Armored Inc. issued no comment.

Arguments were heard this month in the case of Mitchell Rupe, a death-row inmate in Seattle who claims he is too fat to be hanged. According to Rupe and his lawyer, death by hanging in Rupe's case would constitute cruel and unusual punishment since his weight would cause the rope to tear his head off. Some experts contend, however, that decapitation would not result with the use of a rope shorter than the standard 5 feet. Rupe, who has challenged his death sentence three times, was convicted of murdering two women during a 1981 bank robbery.

# Life imitating art, imitating life

## 'Possemania' grips Ariz. county

By Stephen Donohue

Joe Arpaio is a big fan of old Western movies

Sheriffs and their posses nabbing crooked cowboys. The whole community rallying to go after the bad guys.

If only life were so simple now.

In a sense it still is, according to Arpaio, the Sheriff of Maricopa County, Ariz. He deploys posses on horseback -- as did the Westerns -- in addition to the county's air posse, boat posse, and search and rescue posse, among others.

Arpaio said the idea may be novel, at least in a modern context, but the outcomes are tremendous. "I used to watch Tom Mix and Gene Autry, and the business people would get on a horse and get sworn in and go after horse thieves. I said, 'Why not go after car thieves?'"

With 2,200 county citizens currently serving in 43 different posses, Arpaio has turned the posse concept into one of the most vital elements of the Sheriff's Department. And, by paying for their own equipment and working for free, the posses saved the county \$8 million last year.

Maricopa County has used posses since 1950, but the program nearly doubled in size when Arpaio took office in January 1993. "The concept has been just phenomenal," said Sheriff's Department Chief Dave Hendershot, who oversees the program. "It's 'possemania' -- everyone wants to join the posse," he told LEN.

In the first two weeks of Operation Summer Heat, Arpaio's latest project, the posses made 432 arrests while working with sheriff's deputies. The program, which is aimed at tackling street crime that increased once schools were out of session, combines representatives from several different posses to hit the streets in a barrage of foot, jeep, canine, air and equestrian patrols.

Summer Heat teams have stopped and interrogated more than 4,000 people on the street, recovered 11 stolen cars, served 77 warrants, confiscated 14 weapons and made 25 drug seizures and 71 felony arrests.

Posses members can make arrests in the presence of deputies, but not on their own. "The posse members derive their authority from me," said Arpaio. "They, in turn, derive their full authority from the full-time deputies. They support our deputies."

Dressed in uniforms identical to those of deputies with the exception of a different badge, one of the posses' best assets is the greater police presence they give the county. "If I was in my patrol car and I had a posseman with me and I stopped you on the street, I could guarantee you couldn't tell the difference," Hendershot said. "There is a greater law enforcement perception. It's great for the safety of the officers, great for the safety of the community."

The minimum amount of training needed to join some of the posses, including the search and rescue unit, is 34 hours of emergency first-aid and law classes. The most rigorous training is required of armed posse members, who currently number about 800 and, Arpaio hopes, should increase to 1,000 by the end of the year.

Those who would be armed possemen must complete 56 hours of firearms training and 64 hours of emer-

gency first-aid and law classes. "They have to meet the same criteria that every peace officer in the state of Arizona gets," Hendershot said.

While Arpaio may enjoy the old Westerns, where sheriffs swore in any able-bodied man who could shoot a gun and ride a horse, admittance into his posses is very selective. Criminal history checks are conducted on all of the volunteers, who also must pass drug tests and psychological screenings.

The posse members come from all walks of life. School teachers, mechanics, librarians, politicians, college students, former police officers and others volunteer a minimum of 10 hours every

"I used to watch Tom Mix and Gene Autry, and the business people would get on a horse and get sworn in and go after horse thieves. I said, 'Why not go after car thieves?'"

— Maricopa County Sheriff Joe Arpaio

month. There is even an executive posse composed of doctors, lawyers and businessmen who patrol the streets on weekends.

The posses are predominantly white, reflecting the population of Maricopa County, with representative proportions of Mexican Americans and blacks as well. Organizers estimate that 10 percent of posse members are women.

Each posse has a commander elected by the members. Bill Bristol, a retired Air Force colonel who is commander of the operations posse, instructs new members on the use of firearms. It's an area he knows well, having been an expert marksman in the military who qualified for two Pan American Games.

Bristol joined the operations posse when it was formed in October 1993. He had enough work as a professional narrator and public speaker to stay busy, but said he joined the posse to become more involved with law enforcement.

"It's fun at the same time," he told LEN. "You can kind of see a sparkle in the eyes of the people who know they've donated something significant."

The operations posse teamed up with other units in April in a program to rid prostitutes from Van Buren Street in Phoenix, a strip notorious for its blatant streetwalking.

Affectionately known as the "Adopt-a-Hooker Program" by its organizers, the posses, in teams of two, would simply walk alongside the prostitutes, dogging their every step until they left the area. During the first week of the program, the number of calls police received about prostitution fell by more than one-quarter, from 249 the week of March 20 to 181 the week of April 4, the first week of operation.

Sheriff's Department spokeswoman Lisa Allen said that before the show of

Continued on Page 10

# People & Places

## Mum's the word

Arkansas's new State Police Director says he is considering stricter guidelines to keep troopers quiet about what they see or hear on the job.

After he was sworn in on June 1, Col. John Bailey raised the privacy issue in response to questions about two troopers who publicly stated that they procured women for President Clinton when he was Governor.

In an interview with LEN, Bailey said the state needs to evaluate the boundary that separates violating troopers' rights to free speech and revealing private or classified information "I want to try to get that dim line brightened a little bit, and it's not going to be an easy task," he said.

The State Police remains officially neutral regarding the substance of accusations against the President, but an agency spokesman stressed that the people the troopers protect are entitled to privacy. "There should be some type of regulation, rule or something to temper what a trooper can say while he is in the employment of the state police," said Wayne Jordan.

Despite the concerns raised by the privacy issue, it is not at the top of Bailey's policing agenda. His immediate goals include upgrading the State Police's troubled communications system and enhancing officer training.

The 12-year-old, \$30-million radio system features 85 towers positioned across the state, and it frequently shuts down because of a problem with microwave alignment. "You can't do this kind of work and not have communications," Bailey said.

After the system is evaluated and recommendations are made, he plans to allocate the funds necessary to eliminate the problem. "There is no problem that money can't fix," he said.

Gov. Jim Guy Tucker named Bailey head of the State Police, succeeding Col. Tommy Goodwin, who retired after 12 years in charge. Bailey, who began his career as a State Police trooper, previously served nine years as chief of the Arkansas Highway Police, an enforcement branch of the state Highway and Transportation Department.

It was while serving with the Highway Police that Bailey said he "was

beginning to get a little wind with some of the attitude about the State Police training program. It was not where the participants wanted it to be."

He plans to designate more funds to the training program "to provide the state-of-the-art training that is now accessible out there for police officers."

In his first six weeks as director, Bailey met with eight of his 12 troops for open forums. "I pledged to myself that I wanted to go out and assess the State Police from the ground up and I wanted to meet every department member," he said. "If it is important to them, it is important to me."

## Last of his kind

Joseph R. Leake, the 33-year veteran of the New York Police Department who this month took command of the New York Housing Authority Police Department, just might be the last person ever to hold that post.

That's because the 2,522-officer Housing Police, along with the New York City Transit Police Department, will likely be merged with the vast New York Police Department on Det. I — a move that has its critics, but which Leake wholeheartedly supports.

Leake, 55, who served as assistant chief in charge of the NYPD's Manhattan North Patrol Borough and as commander of its Housing Bureau, began his new post on July 13. He replaced DeForrest Taylor, who, like Leake, is a long-time NYPD veteran, and who announced his retirement earlier this year from the Housing Police.

The Housing Police provides public safety services for 600,000 people who live in the Housing Authority's 334 properties.

"I feel very good about [the merger]," Leake said in a recent interview with LEN. "I think the benefits that will accrue from the merger will be felt by the all citizens of this city, and specifically, the residents of the Housing Authority properties."

Leake said the merger will eliminate "redundancies and duplications" that exist among the three police agencies. "The unified command of a consolidated police department can only mean that things will be better coordinated and that greater efficiency and effectiveness will result."

Opponents of the merger contend that Housing Authority residents will ultimately be shortchanged, with even fewer officers assigned to patrol the developments. Leake disagreed, saying that while he agreed with assertions that the agency is understaffed, he felt the merger would "shore up current staffing."

"The end result will be more service delivery to the people in public housing," he observed. "We will be starting out with some baseline [of service delivery], and my measure of success will be how far above that baseline I am able to raise services."

Leake goes into the job with no major plans to change the department, which he said is viewed as one of the best of its kind in the nation. He noted that it is the only housing authority police department in the country to be accredited by the Commission for the Accreditation of Law Enforcement Agencies — a distinction achieved earlier this year.

"The Housing Authority Police Department is a first-rate organization," he said. "My job is to maintain its programs — and modify, fine-tune, adjust where we see the need to. But I don't really see the need to start any wholesale changes here in terms of the programs and initiatives that are in effect. There are several excellent programs here that are being replicated across the country."

"It would be presumptuous of me to come here thinking that I'm going to change the organization. I'm going to do my best to build on Chief Taylor's accomplishments, and enhance the level of service as much as we can."

Among the innovative programs Leake said have been undertaken by the Housing Police in recent years are Operation Safe Home, which is designed to improve conditions in public housing developments that make them prone to crime, and its squad of bicycle patrol officers, whom he said have helped improved relations between the agency and the people they serve as well as increase security.

In all likelihood, Leake's new post would be eliminated once the merger occurs. He said he expects to return to his former post as head of the NYPD Housing Bureau. "If Commissioner [William Bratton] sees fit to retain me, that will probably be my destiny."

## Galvin-izing

Vallejo, Calif., Police Chief Gerald Galvin, who previously headed three other California police departments during a 30-year law enforcement career, will head east later this month to begin his new job as chief of the 629-officer Toledo, Ohio, Police Division.

A six-member selection committee set up by Mayor Carlton Finkbeiner chose Galvin from a nationwide pool of 54 candidates. Galvin's selection was announced July 1, he is to begin his duties on July 27, said mayoral spokesman Edmond Bobbitt.

He replaces Marty Felker, who resigned in February, Bobbitt added.

When he is sworn in later this month, Galvin will have been a police chief a total of five times during his policing career, which he began as deputy in the San Mateo County, Calif., Sheriff's Department in 1964. The former

Berkeley, Calif., police officer served as police chief in Bishop from 1975 to 1976, in Marina, Calif., from 1976 to 1980; and in Clovis, Calif., from 1980 to 1987, when he assumed leadership of the 132-officer Vallejo Police Department. From 1971 to 1975, Galvin served as a commander in the Simi Valley, Calif., Police Department.

In 1989, Galvin was named Police Chief of the Year by the National Association of Police Community Relations Officers.

Galvin is a veteran of the U.S. Marine Corps who received the Bronze Star for valor during the Vietnam War. He also received the Vietnamese Cross of Gallantry from the South Vietnamese Government in 1965 for action taken under fire. Currently, he holds the rank of lieutenant colonel with the Marine Corps Reserve.

trans. "This was one human being acting on behalf of another," said John Spierman, the assistant director of Arizona Correctional Industries. "They were all good men — all of them."

Reno is recovering at home. He has the option of taking a medical retirement, but would be permitted to return to work in training position or as an investigator, according Rick Knight, a spokesman for the Department for Public Safety.

The accident is still being investigated, and Robert Perez, the 23-year-old whose car struck Reno, has not been charged. Dwight Callahan, a spokesman for the Pinal County Attorney's office, said investigators are trying to determine if Perez could have avoided the accident. Reno's car was parked in the right lane of Highway 60, in a section without a shoulder.

## Back to stay?

Two ex-Milwaukee police officers, who were fired for leaving a naked, bleeding 14-year-old boy in the hands of serial killer Jeffrey Dahmer, returned to work last month after a court ordered their reinstatement.

While traveling just outside of Phoenix on Highway 60, the inmates and their supervisor saw Officer Bill Reno of the Arizona Department of Public Safety get struck by a car on the other side of the road.

Dave Wheat, the corrections supervisor transporting the inmates, turned the van he was driving around to the east side of the highway and approached the accident scene. When the three inmates and Wheat got out of the van, they saw Reno sprawled on the road, his left leg severed above the knee.

Reno had been preparing to leave the scene of a car fire when a Camaro hit him as he stood at the rear of his car.

"By the looks of it when we arrived, the officer and the tow truck driver had their incident already wrapped up," Wheat said. "We presumed he was putting all of his gear back in the trunk — that's when we saw the collision and the officer go in the air."

The inmates — Ralph Ayers, 43, Omar Rogers, 47 and Donald Young, 33 — immediately went into action. Ayers removed his own belt and applied a tourniquet to Reno's thigh. Rogers retrieved an ice pack from a medical kit in the corrections van and applied it to the severed limb. Young used a fire extinguisher to put out a fire that started in the car that hit Reno, and then blocked the accident scene from traffic with road flares.

While Wheat tried to call for help, Ayers continued to apply pressure to Reno's thigh and comforted the officer, who remained conscious throughout the entire ordeal. "He's a man. The uniform didn't mean anything — he was a man that needed help," Ayers said in a telephone interview with LEN.

The minimum security inmates participate in a prison work program through Arizona Correctional Industries. Ayers is serving a nine-year sentence for theft and forgery; Rogers is serving five years for aggravated assault, and Young is serving seven years for narcotics violations.

Said Ayers: "I made a mistake, that's why I'm in prison. Just because I made this mistake doesn't mean I'm a piece of s---. I still have to live with me."

Ayers and Rogers are Vietnam vet-

rans. Two ex-Milwaukee police officers, who were fired for leaving a naked, bleeding 14-year-old boy in the hands of serial killer Jeffrey Dahmer, returned to work last month after a court ordered their reinstatement.

But Joseph Gabrish and John Balcerzak say that while they got back what they wanted, they are not sure if they will stay permanently.

"I really haven't decided," Gabrish told The Milwaukee Journal after his first day back on duty at the Police Training Academy. "I'm going to be going through the training and see what happens," said Gabrish.

The Milwaukee Fire and Police Commission is appealing the April 27 reinstatement order by Reserve Brown County Circuit Judge Robert Parins.

Like Gabrish, the 36-year-old Balcerzak, who now runs a Milwaukee tavern, is unsure whether he'll return permanently to the Police Department.

Gabriah, 31, who took a job with the Grafton Police Department after the September 1991 dismissal, said he's struggling to decide whether to remain with Grafton or return to the Milwaukee force. He said he's attracted to Milwaukee's demanding big-city atmosphere and the challenge of the heavy-duty police work. And he wants to give back to the community where he grew up.

Still, he said he appreciates what Grafton has done for him in the last few years, and he wants to show his loyalty to that department as well.

"I always wanted to be a Milwaukee policeman," Gabrich said. "My family and friends are here. Most of my friends are here. They work for the Milwaukee Police Department. It's the biggest support group. It's hard to cut that off once and for all. It's a hard thing to pack up and leave."

Gabrich saw much of that support and encouragement when he stepped back into the academy on June 17.

"A lot of people were happy to see us back," Gabrich said. "It was nice to see a lot of old faces I haven't seen in a long time. We were very well accepted. It's been a long three years."

Gabrich had good words for his current co-workers at the Grafton Police Department, in particular Chief Howard Thiede.

"Chief Thiede has been very gracious to grant me this leave," he said.

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# Neighborhood anticrime plan gets the gate

## Court rejects LA community's 10-year effort to control access

Residents of a historic Hollywood neighborhood will have to dismantle gates that were installed to limit access and cut down on crime, after the California Supreme Court last month upheld a lower court decision which found the gates illegal.

The state's highest court on June 1 refused without comment to hear the appeal brought by the Whitley Heights Civic Association, which sought to reverse rulings by the state Court of Appeals and a Los Angeles Superior Court judge. The lower courts said the gates were illegal because they blocked public streets in violation of the state's vehicular code.

The decision effectively ended a decade-long effort by residents of Whitley Heights, a hillside Hollywood neighborhood built in the 1920's that was once popular with movie stars, to close off the area to outsiders.

In 1985, the association had persuaded the City of Los Angeles to withdraw the streets from public use, clearing the way for the installation of the gates. In 1991, the association erected the structures at a cost of over \$300,000, said Alissa Allen, who represented the group. The gates, which would have allowed access only to residents with card keys, never became operational because of the ongoing litigation, she said.

The Court of Appeals issued a remittitur to Superior Court

Judge Robert O'Brien on July 12, directing him to enforce his original ruling. That order gave the neighborhood association 60 days to dismantle the gates, said Andrew Henderson, an attorney who represented Citizens Against Gated Enclaves, which sued to have the gates removed.

Henderson said members of CAGE were nearby residents of Whitley Heights who felt "slut out" by the installation of the gates. They sued in 1992 after their attempts to negotiate a settlement with the civic association and the city failed, he said.

"If this were to continue all over the city, pretty soon you'd have a city checkered with gated enclaves that would make it begin to resemble a zoo," Henderson told LEN. "We thought it was important to nip this in the bud and make sure the city didn't turn into a giant community of gated neighborhoods."

Leslie Pinchuk, a deputy city attorney who represented the City of Los Angeles in the case, said Judge O'Brien ruled against the gates because the state's vehicle code prohibits "selective gating" on public streets. "The theory goes that all of the streets in California belong to all of the people of the State of California, and everyone has the right to use those streets because they're paid for and maintained by public funds."

Specifically, the code says that "local authorities may not

place gates or selected devices on any street which deny or restrict access of certain members of the public to the street, while permitting others unrestricted access to the street."

Pinchuk said the City of Los Angeles was named as a defendant in the initial lawsuit because of its approval of the gating plan back in 1985 — before a similar case which codified the vehicle code section prohibiting selective gating. He noted that the ruling does not affect private developments "that start out as gated communities."

A section of the vehicle code approved last year does allow for the closing of highways for up to 18 months because of ongoing criminal activity, provided local officials meet a number of requirements, Pinchuk noted.

The state Supreme Court's refusal to hear the case leaves Whitley Heights residents with few options, but the civic association has indicated it may pursue a legislative remedy, said Allen.

"They are helping with a grass-roots effort coming out of the San Diego and San Francisco areas to try to get the Legislature to approve a statute in which private homeowners can agree collectively to install gates to protect their private property," she said. "That's really the only other way to go."

### Ahead of the news:

## Tulsa seeks to avoid repeat spouse-abuse tragedy

By Stephen Donohue

Sometimes it takes a tragedy to generate change.

As the nation sat mesmerized by the events surrounding the murder charges against O.J. Simpson, cities from coast to coast mobilized efforts to thwart domestic violence. Suddenly, an issue that typically receives little public attention became a premier topic of discussion and a top agenda item for those in law enforcement.

While countless police departments are responding to increased demands to go after spouse abusers, Tulsa, Okla. is fine-tuning a domestic-violence program that began long before the Simpson case galvanized public interest.

Margaret Cheney wasn't married to a celebrity, but that didn't prevent her violent death at the hands of her husband.

band, Gary, in April 1993 from sparking a public outcry in Tulsa for better protection of domestic abuse victims.

Cheney was shot in a downtown parking garage as she walked to her car after work. "This was, in effect, a public execution of the wife by the husband," said Lieut. Richard Lawson, commander of Tulsa Police Department's Domestic Violence Unit.

Just nine days before Cheney's death, Andrew Ledbetter Jr. had killed his wife, Irene, with an ice pick just hours after she was released from a hospital following treatment for injuries resulting from a previous attack.

Both Ledbetter and Cheney were sentenced to death earlier this year.

Lawson said that the Cheney killing, which was witnessed by several people, "was the last straw," in the aftermath of the Ledbetter slaying.

Shortly thereafter, the city formed a Domestic Violence Task Force with representatives from the Police Department, the district attorney's office and Tulsa's Domestic Violence Intervention Services.

"What the task force did was look at each one of these agencies that touched the problem and assessed their strengths and weaknesses, where there were gaps in services, where additional funding was needed, and how we can address those things at various levels," Lawson told LEN.

The group learned that there were 32 domestic-violence murders in Tulsa from September 1992 through June 1994. Seven of the victims — including Margaret Cheney and Irene Ledbetter — had filed protective orders against their attackers.

"Since we teamed up last year, we've had several murders, only one with protective orders," said Felicia Corra, executive director of DVIS. The latest murder involving a victim with an order of protection occurred on Oct. 24, 1993, when Larry Lundsford killed his 2-year-old daughter before committing suicide.

More than 17,000 calls reporting domestic violence and violations of protective orders were made to the TPD in 1993. The task force decided the Domestic Violence Unit should be formed to investigate many of the repeat calls.

Though the unit will not be fully operational until November, the department has already begun to roll out the methods it will use to go after domestic abusers.

"The Police Department decided that early intervention would be the best

way to break this cycle of violence so that it doesn't escalate to serious assault and homicide," Lawson said.

The unit's main objectives are to make more arrests for assault and battery and bring the abusers into court. Lawson said all Tulsa police officers are receiving training on how to enhance domestic violence investigations, which has already increased arrests.

When police respond to domestic violence calls, they are now taking more photographs of the victims' injuries and getting a better record of statements from victims and witnesses. This produces a more thorough report.

The aim of the enhanced investigations is to prosecute the abuser without help from the victim, which the city has never successfully done before. "We don't want the prosecution to be declined on the basis of an insufficient investigation," Lawson said. "We want to combine the highest quality investigation, bring out the broadest base we can in the situation, so that we can begin to take some action."

The city doesn't want to depend on the victim to go after their abusers. "If [the victim] even go through with wanting [the abuser] arrested, in the few days before he gets into court, they have already decided that they don't want to do anything about it," Lawson said.

Cooperative efforts are key to the task force's efforts to go after the abusers. With intensified investigations, the district attorney can prosecute without a victim's cooperation. If the city is successful in convicting the abuser, jail time or fines will often be dropped on the condition that the abuser seek counseling.

"If it's not a case where they just shot someone, then most victims' concern is not to put this guy in jail for a year but to change his behavior," said Lawson, "and the way you do that is to arrest him, get him into court, suspend the jail time or fine, sentence him to attend counseling or treatment, and hold this suspended punishment over his head."

Corra said DVIS has about 200 abusers actively involved with the program. In the past, 70 percent of the abusers in the program sought counseling voluntarily and 30 percent were court referrals. But since police increased arrests, the proportion of abusers referred by the court has increased to about 50 percent.

Corra said Margaret Cheney's death affected victims and abusers alike. "We had women coming in after Margaret Cheney's death, saying 'I'm getting a protective order,'" she said. "After Gary Cheney got the death penalty, I think abusers in the same way were thinking 'I don't want to end up like Gary Cheney.'"

The Domestic Violence Unit will consist of six detectives, Lawson and one other supervisor. The Tulsa City Council approved funding on June 23 to hire six more beat cops, who will replace the officers being transferred from patrol units to the Domestic Violence Unit.

Lawson said the department is now writing an operational manual to determine what the caseloads of the investigators will be. The unit will respond to some serious domestic violence emergency calls, but mainly will investigate cases where multiple calls have been made in the past.

## Racial bias leads the way in new FBI hate-crime tally

Sixty-two percent of the hate-crime incidents reported to the FBI during 1993 were motivated by racial bias, the bureau said in its third annual tally of bias crimes, released last month.

The 7,684 incidents were voluntarily submitted to the FBI by about 6,850 law enforcement agencies, in accordance with the Hate Crimes Statistics Act of 1990. The reporting agencies represented 46 states covering 56 percent of the U.S. population.

New Jersey topped the number of reported hate crimes with 317, followed by Illinois (149), Texas (101), New York (70), and Michigan (63).

The FBI said that 18 percent of the incidents were motivated by religious bias; 12 percent involved bias based on sexual orientation, and the rest were motivated by bias against ethnic groups and nationalities.

Intimidation was the single most frequently reported offense, cited in 35 percent of the total incidents. Damage, destruction or vandalism of property comprised 25 percent of the incidents, followed by simple assault, 19 percent, and aggravated assault, 16 percent.

Individuals were targeted in 82 percent of the incidents, while the remaining 18 percent of the crimes involved religious organizations, businesses and other targets.

Anti-black bias was the motivation in 2,985 of the reported offenses, while anti-white bias was reported in 1,600 cases. Crimes targeting Jews made up the largest bloc of religion-motivated bias, where it was a factor in 1,104 offenses. Bias against gays and lesbians was the motivation in 798 offenses.

The bureau reported that 20 people were murdered last year in hate-motivated incidents.

Although it is difficult to compare the 1993 figures to those of the prior year because of the voluntary nature of the reporting program, the data indicate a decline from the 8,918 hate crimes reported to the FBI in 1992.

The number of law enforcement agencies submitting data rose slightly over the total in 1992, when 6,180 law enforcement agencies in 41 states covering 53 percent of the nation's population reported statistics to the FBI.

## Consumer alert for LEN readers

As this issue was going to press, police officials in the St. Louis area informed Law Enforcement News that an organization calling itself the National Law Enforcement Sports Federation has been soliciting donations for a "National Police Olympics" sponsored by Law Enforcement News.

The solicitors ask for a donation in exchange for a gift to be

sent by United Parcel Service and billed to the donor. In one case, the cash-on-delivery charge totaled \$175.

The organization also has a toll-free number, and callers are greeted with a message that they have reached Law Enforcement News and to leave a message.

The LEN staff wishes to let readers know that the newspaper does not spon-

sor a "National Police Olympics," is not affiliated with the "National Law Enforcement Sports Federation, nor does it have a toll-free telephone number. Solicitations on behalf of LEN are suspect and should be disregarded. Suspicious-sounding solicitations may also be referred to your state attorney general or consumer protection agency.

# Who will police the police in NYC?

## Prescription for reform weighed

Continued from Page 1

future corruption-fighting efforts.

"If they don't do that, then we've already resigned ourselves to having to do this all over again 20 years down the road," he said. "At this point, just looking at history, it's quite obvious there aren't really many alternatives."

Trimboli expressed doubts that the Mayor would act on the recommendation, and said he fears the entire issue would fall victim to political grandstanding. "Some people have taken the position that we don't need this because we have five district attorneys. But they were in place when this was going on and it didn't have any effect on it."

"I think you're fooling yourself or playing politics when you don't see the need for this because it's so obvious — every 20 years for over a hundred years now. You don't have to be hit over the head to see a trend like that."

Patrick V. Murphy, who led the New York Police Department during the period of Knapp Commission reforms in the early 1970's, called police officials' paranoid fear of corruption scandals and the negative publicity they bring "a formula for the breakdown of integrity."

"It only took one commissioner who wasn't as strong as he should have been for the system to break down, and when that happened, it didn't get back on track even after he left," he said.

### The Power of the Commissioner

"The New York City Police Commissioner may be the most powerful chief of police in the country," Murphy continued. "There are about 150 people above the rank of captain who serve at his pleasure. If he is determined to have

integrity, he can make it happen by making certain that people in those key positions are following his policies and holding them accountable."

Murphy added that he wasn't entirely convinced that an outside oversight board would prevent corruption.

"I didn't think the special prosecutor was the answer," he said. "The special prosecutor did good things, but I think the department reformed itself back in the 1970's, and that reform held for 15 years. I don't know if there's any magic in outside boards. Los Angeles has a police board, and we saw what happened there [with the Rodney King incident]. Detroit has a police board and the former chief is in the Federal penitentiary. There are other boards around the country, and a good question is whether the evidence is there to indicate that they make a difference."

Murphy also expressed fears about injecting politics in such a volatile issue. "I'm very curious as to how the Mayor will react to the City Council plan," he said. "Up to now, it's been the Mayor's baby. He's had all of the power and all of the responsibility. Depending on what authority a police board would have, this is really a major change for the Council — to have that much power. The potential is there for political conflict on such boards. With a Republican Mayor and a Democratic Council, they'll use this board, which is very visible, to play out their political games."

### Better Than Nothing

"I think any outside structure is probably better than no outside structure," said Richard Condon, who served briefly as Police Commissioner in late 1989. "I don't know that one with more

### RATER COMMENTS

This officer has excellent street knowledge; relates well with his peers and is empathetic to the community. This officer could excel within the New York City Police Department and easily become a role model for others to emulate if he maximized his inner drive to fulfill job responsibilities to the fullest. Must improve attendance and arrest activity. Good career potential.

Source: Final report of the Mollen Commission

that out at an early stage before they get into the 'blue cocoon,' as Commissioner Bratton calls it."

### Policing the Police

Joseph Mancini, a spokesman for the Patrolmen's Benevolent Association, told LEN that the union was "not concerned" about the prospect of an outside monitor for the department.

"The position that [PBA president] Phil Caruso has taken all along is that police officers are the most scrutinized public servants in creation," he said. "Right now, you've got the Civilian Complaint Review Board, the department's Internal Affairs Bureau, five district attorneys and two U.S. attorneys who scrutinize the activities of police officers. They can stand the scrutiny of another body — whatever it is."

Gerald W. Lynch, the president of John Jay College of Criminal Justice, which administers the Police Cadet program, said he was not in favor of an outside entity to monitor the police during the Knapp era, but his views on the issue have turned around.

"I'm for it now, 22 years later, because I've been watching what has happened with corruption issues — they take the back burner," he told LEN. "Corruption gets lost when it's not always pursued vigorously. There can never, ever be a time when corruption shouldn't be one of the highest priorities. . . . It will slide back unless somebody's out there demanding that the police police themselves."

As a longtime criminal justice educator, Lynch also offered strong support for recommendations to raise the minimum age for police officers from 20 to 22 years of age, and to increase the minimum educational requirement from a high school diploma to a two-year college degree. He said there is some evidence that more mature, better educated officers are less prone to corruption and brutality.

"The ultimate goal of all of those recommendations is to help policing become a profession," he said. "There's no way it will ever become a profession without requiring higher education."

*[For more on the Mollen Commission's investigation and related events, see LEN, June 30, 1992; Nov. 30, 1993; Dec. 31, 1993.]*

## 14 years for 'dirtiest cop ever'

### Judge rejects corrupt cop's tearful plea for leniency

Michael Dowd, the former New York City police officer whose on-duty cocaine-trafficking, corruption and brutality shocked the city and prompted the establishment of a special mayoral commission, was sentenced to 14 years in Federal prison July 11.

A tearful Dowd, who had hoped for leniency because of his cooperation with the Mollen Commission after his May 1992 arrest, hung his head and mouthed the words, "Oh my God," as Federal District Judge Kimba Wood handed down the sentence — one year less than the maximum he could have received.

The sentence came just four days after the release of the Mollen Commission report, which detailed a near-complete breakdown in the Police Department's internal affairs apparatus that allowed rogue cops like Dowd to operate with impunity. (See accompanying article.)

Wood admonished Dowd for his crimes, which she said continued even after his arrest. "You did not [just] fall prey to temptation and steal what was in front of you and take kickbacks and sell confidential law enforcement information," said Wood. "You also continually searched for new ways to abuse your position and at times recruited fellow officers to join in your crimes."

Wood noted that even after his arrest by Suffolk County police, Dowd was secretly tape-recorded while out on bail as he plotted to kidnap the widow of a drug dealer and hand her over to Colombian hit men who wanted to kill her, as well as devising a plan to rob a Queens "stash" house.

Just one month after Dowd appeared before the Mollen Commission to testify about how he ran a cocaine-trafficking ring from two Brooklyn precinct houses, Wood said, the officer wrote to a drug dealer and asked him to send money to his wife and two children. "I have an ace or two up my sleeve," Dowd wrote, "hopefully it all works out at my sentence. One day we'll have a beer together in Dominica like we were supposed to."

Dowd, who joined the department in 1982, apologized to city police officers for the shame he had brought to the department, telling Wood, "It is a difficult job, and I made it much more difficult."

Dowd added: "There were times I wished I was dead because I couldn't stop what I was doing."

But Dowd's wife, Bonnie, lambasted her husband in a pre-sentencing memo in which she called the disgraced cop a "psycho" with "an infantile personality" who drank "23 hours a day" and "snorted cocaine all hours of the night." She recalled how she confronted her

husband when she suspected he was going out to rob drug dealers instead of reporting for duty as he claimed. "Robbing people is not going to work," she told him. Dowd's reply, according to his wife: "Well, it is this time."

Former NYPD internal affairs Sgt. Joseph Trimboli, whose six-year effort to snare Dowd was met with the resistance of his superiors, told LEN he felt Dowd's sentence was "appropriate." Trimboli, who attended the sentencing, said Judge Wood's action "brought a certain amount of dignity back to the criminal justice system."

Trimboli said the satisfaction he felt at seeing the man dubbed "the dirtiest cop ever" sentenced to a long prison term "doesn't keep my heart from going out to the family. Obviously, they will suffer with the sentence. The man has children who won't have their father for a long time. He's got a mother and father — all of those people have to suffer. But this is a consequence of his own actions."

Trimboli, now an investigator for the Queens District Attorney's integrity bureau, said he felt a sense of relief once Dowd was sentenced. "It's been a long road. I realized when I attended the sentence, it was finally over, and thank God, it is."

Condon now will be more successful over a longer period of time," Condon observed. "There's no question that the special prosecutor's office was very successful for a long time. What strength would [the proposed Police Commission] bring to the issue that the special prosecutor's office didn't?"

Condon said that the NYPD's adoption of any of the Mollen Commission's proposals will depend on the availability of funding. "What controls it is the budget process," he said. "It's difficult to do multiyear planning when you have a one-year budget. The Police Department is one of the few agencies that are totally funded by city revenue, so if you're looking to cut substantially to save money, the Police Department is always a likely candidate."

### Get 'Em While They're Young

As critical as monitoring anti-corruption efforts is taking preventive steps during the earliest stages of an officer's career — in the Police Academy, said Gregory Thomas, a former Mollen Commission investigator who now oversees the NYPD/City University of New York Police Cadet program.

Thomas, who sat in on academy training sessions as part of his duties for the commission, said that instructors — like the high-ranking police officials castigated in the Mollen report — tended to view misconduct in terms of how it hurts the department, not in terms of the community recruits are pledged to serve.

In one instance, Thomas said, he observed an integrity training class conducted by a sergeant who warned recruits against "cooping" — taking naps in patrol cars while on duty.

"They kept speaking in terms of the aggrieved party — the NYPD — and never the community in which they serve," said Thomas. "They do it so matter-of-factly that they're not even aware they're doing this. . . . That's where [corruption-prone attitudes] start, so there's a need to infuse training with some kind of outside training, like the Cadet Corps, because at least at that level thought patterns can be changed."

The Cadet Corps program also helps to "infuse integrity" in recruits on a daily basis and filter out those who fail to pass muster, Thomas said.

"Everything they do is about integrity," he observed. "This program brings

## Mollen Commission's prescription for reform

(The final report of the Mollen Commission was far more than just a proposal to create an independent monitor for the New York City Police Department. Following are excerpts from its other recommendations.)

- ¶ Raise the minimum entry age requirement from 20 to 22 years of age.
- ¶ Raise the minimum education requirement from a high school diploma to a two-year college associate degree.
- ¶ Require all applicants to submit to a polygraph examination.
- ¶ Require random, unannounced drug testing for all applicants.
- ¶ Make misdemeanor convictions based upon felony arrests for violent and drug-related crimes... presumptive hiring disqualifications.
- ¶ Require applicants to furnish tax returns and other financial records.
- ¶ Actively identify and screen problem officers throughout their careers and dismiss those with unacceptable performance records.
- ¶ Require in-service integrity workshops for all officers at regular intervals throughout their careers.
- ¶ Integrity training should address issues of brutality and other civil rights violations.
- ¶ Use civilian faculty to conduct segments of the police training courses provided at the Police Academy... [to] expose recruits to non-police viewpoints... and minimize in-bred group acculturation.
- ¶ The Field Training Program for probationary officers should be strengthened.
- ¶ The department should rotate officers' command assignments within a borough every three to five years to reduce exposure to command conditions that foster corruption.
- ¶ Implement a rotating tour of duty system. Officers should not be assigned to steady late tours for more than two years.
- ¶ Assign proven and experienced supervisors to high-crime, corruption-prone precincts.
- ¶ Ensure that police officers transferred for disciplinary or administrative reasons are reassigned equally among all precincts.
- ¶ Establish a system to reward honest officers, and those who assist in identifying and uprooting corruption, with choice assignments, promotions and commendations.
- ¶ Increase random and "for cause" drug testing.
- ¶ Enforce accountability [for] all commanders and supervisors.
- ¶ Factor superior corruption-control performance in promotion and assignment practices.
- ¶ Require at least three years of experience before becoming eligible for promotion to sergeant.
- ¶ Increase the number of field supervisors during midnight tours of duty in corruption-prone precincts.
- ¶ Internal Affairs must improve the quality and reputation of its investigators; must immediately strengthen its intelligence-gathering analysis operations, must focus exclusively on cases of serious corruption and crime, [and] must adopt a chiefly proactive investigative approach.
- ¶ Increase the number, regularity and quality of targeted and random integrity tests.
- ¶ Allow internal investigators to interrogate police officers under oath and with penalties for perjury.
- ¶ Internal Affairs should immediately establish a Civil Rights Investigations Unit dedicated to the investigation of brutality, perjury, false arrests, and other types of civil rights violations.
- ¶ Amend Civil Service Law to allow for the demotion in rank and salary of sergeants, lieutenants and captains who have engaged in corruption or failed to carry out their supervisory duties.

## Buying one's way out of a prison sentence?

### Georgia A-G slams county prosecutor for plea deal

Cobb County officials have acknowledged the recent transfer of over \$300,000 from a multijurisdictional drug task force to the county's general fund — a transfer that took place just one day before state Attorney General Michael Bowers harshly criticized the county prosecutor for allowing a convicted drug dealer to buy his freedom with a \$200,000 "donation" to the drug squad.

Dr. Markell Boulis, a Pennsylvania chiropractor, had supplied street dealers with cocaine while he attended Life College in Marietta, according to the testimony of drug agents. He was convicted in December of cocaine possession, and was originally sentenced to five years in prison, 25 years probation and a \$50,000 fine.

In January, his new attorney, Al Johnson, persuaded District Attorney Tom Charron, who serves as chairman of the 47-member Marietta-Cobb-Smyrna Drug Task Force, to recommend that Boulis's sentence be reduced — to six months of nights and weekends at a drug treatment center, plus 25 years probation — in exchange for a \$200,000 contribution to the drug task force.

On May 17, Bowers issued a 35-page report that raised questions about the legality of the arrangement and the payment to the drug squad. He also contended that the resentencing was improper because Superior Court Judge Jere White did not officially overturn

Boulis's original five-year prison term before accepting a negotiated plea bargain.

Bowers charged that the \$200,000 payment was "clearly... an attempt to circumvent the law and get this money into the drug squad rather than paying it into the county treasury as should have been done."

While conceding that he did not have the authority to force Charron to ask a judge to order that the money be turned over the general fund, Bowers said "any citizen [could] file suit to require that [Charron] abide by the law," if the District Attorney failed to do so.

"If [Charron] were not to do it — which I can't imagine him not correcting this — a lawsuit called a mandamus could be brought to force him," Bowers said.

Charron, who did not return calls from LEN seeking comment, has previously defended his actions, saying that he saw nothing wrong with channeling the money directly to the drug task force.

Citing the need for increased funding to finance the county's fight against drugs, Charron told The Atlanta Constitution that "at the time of this renegotiation for a modification — it's not a plea of guilty, it's a modification of a sentence — there were a number of factors going on, including a motion for a new trial had been filed."

County officials confirmed that the transfer of funds was made on the day

before the Attorney General's report was made public, but no one contacted by LEN was willing to say that the shift was made to appease Bowers.

Bowers, who has served as Attorney General for 13 years, said it would be "presumptuous" of him to say whether his report played a role in the transfer. "I just stated what I saw," he told LEN. "I don't know what prompted [the transfer] to occur."

Nor were other officials willing to concede that Bowers's criticisms prompted the transfer.

"The issue of the \$200,000 was part of a sentence by a Superior Court judge," said Cobb County Sheriff Bill Hutson, who is treasurer of the drug task force. "The District Attorney and the Attorney General — both elected officials — have different legal opinions about that. But we have a court order — a sentence document — from a Superior Court judge. That stands until a higher court reverses or overturns it."

Hutson flatly denied that the transfer was made in anticipation of Bowers' criticisms. "We transferred \$309,000 to the county general fund to purchase needed communications equipment for MCS agents on May 16. That proposal had been in the making for some time. It was not done as a reaction to the Attorney General's opinion. It was something that would have been done. But the \$200,000 from that particular case probably enhanced our ability to do that."

## With money at stake, Kentucky officials feud over juvenile jails

County jailers and state correctional officials in Kentucky are at odds over a proposal to build juvenile detention centers that would bring the state into compliance with Federal law.

Kentucky stands to lose \$700,000 a year for failure to comply with the Juvenile Justice and Delinquency Prevention Act, but the jailers say the money "would be a drop in the bucket" compared to what the counties would

pay to place youths to state-run detention centers.

"It absolutely would have bankrupted the counties," Franklin County Jailer Hunter Hay told LEN.

Hay lobbied against the legislation to build the centers, which passed the Kentucky House of Representatives, but died in a Senate committee. Correctional officials blame Hay and other county jailers for the bill's defeat.

State officials say the jailers profit from housing juveniles and didn't want to see them sent to state facilities.

"It's a money-making proposition," said Coleman Gibert, supervisor of Kentucky's Juvenile Justice Unit. "We've got county jails out there that want to increase their bed capacity from 10 to 24 for a lot more kids and not increase any services or conditions."

Federal law requires that states provide juvenile facilities that are separated by sight and sound from adult units. There are currently only two detention centers in Kentucky that are strictly for juvenile offenders — in Louisville and Lexington. Nine counties have jails that house juveniles as well as adults. The jailers opposed to the bill are from those counties, Gibert told LEN.

Hay said all Kentucky jails that house juveniles meet the sight-and-sound requirement, but the law is being interpreted incorrectly since they are not completely separate facilities. He maintains that the juveniles are housed in different wings from adult inmates and that each section has its own staff.

"We're in compliance with the Federal act; we're not in compliance

with somebody's interpretation of what the act says," he said.

The bill would have funded the construction of three state-run juvenile detention facilities. "It would have been a real improvement for the secure juvenile detention in our state," said Michael Bradley, a spokesman for the Kentucky State Corrections Office. "Now the counties will continue to house the juvenile facilities and there will be no state-operated facilities."

Currently, it costs the counties up to \$50,000 a month to house juveniles. Hay said the bill would have allowed the state to charge counties anywhere from \$100 to \$200 a day per inmate. "The taxpayers of this state were going to get slammed," he said.

Hay maintains that the present system is adequate, and that the benefits new facilities could offer, such as drug-rehabilitation programs and high school equivalency classes, are available now.

Still, Bradley says Kentucky should work to meet the Federal regulations. "It makes the state look bad for us to be out of compliance of the act," he said.

Hay said that when he and his fellow jailers lobbied Congress, they stressed that rather than build new facilities for juveniles, Kentucky should fund programs that will keep youths out of jail.

"It's not going to solve anything until you start directing the money to where it's needed, which is in early childhood development," Hay said. "We're wasting all of this time and money and effort trying to build Taj Mahals for people who, if we took that same amount of money, wouldn't even be here to begin with."

## With new permit, Connecticut gets even tougher on handguns

The Connecticut Legislature this month approved new restrictions on handgun sales and ownership, replacing the current 14-day waiting period with a formal permit that will be required in order for a person to possess a handgun.

The bill, which was approved during a late-night session July 6-7 and which was immediately signed into law by Gov. Lowell Weicker Jr., makes Connecticut one of the most restrictive states in which to own a gun, gun-control advocates said. It follows by just over a year a contentious legislative battle over an assault weapons ban, in which supporters of the measure ultimately prevailed. [See LEN, June 15, 1993; Nov. 30, 1993.]

The new licensing system is seen as a way to close a loophole in state law that has allowed people to buy guns legally from stores and resell them to felons and teen-agers, who are barred

from making firearms purchases. Police officials have said illegal resales, most of them out of the trunks of cars, are the main sources of guns for criminals in the state.

Under the new law, all handgun transfers — whether sales or gifts — must be reported to state and local police agencies. It will be illegal to sell a handgun to anyone who does not have a permit to carry a gun or a license to have one in their possession. The licenses, which are referred to by the law as "certificates of eligibility," will require applicants to submit to criminal background checks conducted by police and to successfully complete a gun safety course.

License holders will be able to buy a gun immediately, instead of waiting 14 days to purchase the weapons.

Licenses won't be required until Oct. 1, when the law goes into effect, and will not be required for handguns

already purchased before that date — an estimated 1.5 million. Nor will the licenses be required for rifle and shotgun purchases.

The five-month battle to pass the new law once again pitted pro- and anti-gun-control forces in the Legislature against each other. Supporters of the measure included Weicker, Democratic members of the Legislature, police chiefs, prosecutors, pediatricians and business leaders, while Republican lawmakers, the National Rifle Association and the Coalition of Connecticut Sportsmen led the opposition.

Weicker, who began his last year in office with a pledge to push for some of the toughest gun-control legislation ever seen in the state, downplayed opposition arguments that the law would adversely affect sportsmen. "This was a matter of concealed weapons," he said as he signed the bill. "It had nothing to do with legitimate sportsmen."

"We're in compliance with the Federal act; we're not in compliance

# Forum

Merrick:

## OC spray: no magic bullet or 'cop in a can'

By Jeff Merrick

On April 8, 1992, Officer Frank Ward bet his life on his pepper spray, and lost it during a brutal beating that lasted only four minutes.

Just two weeks before, Officer Ward talked about the spray with others, and could not conceive of a possibility in which it would not work. The instructions said it caused immediate blindness, and will physically prevent violent attacks. Ward had seen the pepper spray work on a training tape with cops spraying other cops. He had used it once successfully in the field. So when he heard a woman's blood-curdling screams inside the Porter household, he barged in. As the only cop on duty in John Day, Ore., he could not know when his backup would arrive, if at all.

The man across the street heard Ward yell: "Get off her, I'm a police officer. Get off her, I'm a police officer. Get off her, I'm a police officer." Then he heard a commotion and then, an ominous silence.

They found Frank Ward face down in a pool of his own blood, gasping for air in a room filled with the chemical smell and with a death grip on the pepper spray. Heroic medical efforts kept his heart beating for another hour and a half.

My client, Debbie Ward, wants the world to know that pepper spray is not a "magic bullet" or a "cop in a can." There is a dangerous overconfidence in the spray that is fostered by the seller's rosy promises and by trainers who refuse to acknowledge the limitations of these sprays. We sued the sellers of the pepper spray, Luckey Police Products, and a Multnomah County jury heard two weeks of testimony.

### Violent People with Violent Goals

Phil Messina is 100 percent New Yorker: tell-tale accent, gruff manner, a bit overweight, tough and funny. After a brilliant career with the New York City Police Department, with over 1,000 felony arrests, research of defense options, and the startup of community policing, he became a pri-

(Jeff Merrick is an attorney practicing in Portland, Ore.)

vate trainer. He calls his business Modern Warrior Police Defensive Tactics.

"I figure that of the 1,100 people I got convicted, 1,095 are back out there committing crimes," he said. "I can do more good by training police and others how to defend themselves against the bad guys than by locking them up for awhile."

Unlike some trainers, Messina does not sell pepper spray or other defensive products. He sells know-how.

### A seller's rosy promises, or a trainer's failure to concede limitations, can foster dangerous — even lethal — overconfidence in pepper spray.

He has a theory that people with violent goals will work through pepper sprays until they accomplish their goals. He tested his theory by telling his students to take a hit of the spray, pull a rubber knife, and attack the sprayer. They all accomplished their goals.

#### 90 Percent Effective?

The Oregon Police Academy trains officers that the sprays are 90-percent effective. Mike Janin, a trainer for the Beaverton Police Department, testified that the sprays are 96-percent effective. And the videotape Frank Ward saw showed people dropping in their tracks. How can this jive with what Phil Messina says?

"Look at who they spray," Messina said. "How many of them are just 'non-compliant,' just mouthing off with no intent to do any harm? How many times is there a second officer on the scene providing further intimidation by their presence or with their batons or pistols pulled? If someone examined only those cases where the person intended to do harm, it would be nowhere near 90 percent."

In fact, when police are examined on whether "effective" means that people drop in their tracks, they admit that sometimes a person is sprayed and runs away. They will admit that sometimes, the spray is followed up with additional force. "Effec-

tive" usually means only that neither the officer nor the suspect received any injury. It does not mean that 96 percent of those who are sprayed drop in their tracks. It does not mean that a person with a goal of violence toward the sprayer will necessarily be stopped from achieving that goal.

#### California Data

The ACLU of Southern California studied hundreds of reports of pepper spray use by Cali-

fornia law enforcement agencies. Police agencies and organizations, including the International Association of Chiefs of Police, the National Institute of Justice, and the British Home Office are now using the ACLU data in deciding how safe and effective pepper sprays are.

Allan Parachini, the person who analyzed the data and wrote the report, notes that it's rare to find the police and the ACLU on the same side of an issue. He found the sprays effective 82.7 percent of the time in the Los Angeles County Sheriff's Department and 85.7 percent of the time in the Los Angeles Police Department. Statewide, the rate was 87 percent.

What did he mean by "effective"? "I relied on the officer's own characterization," he observed. "Except, however, I did not include reports on dogs, which lowered, slightly, the effectiveness rate." In other words, "effective" included non-compliant and resistive persons, not just violent people. It included multiple-officer situations.

When did the spray fail? According to the report:

"There have been numerous individual reports by police agencies of [pepper spray] failing to control violent, combative people high on drugs or suffering from mental health crises."

Parachini says the drugs in question are methamphetamines.

Manufacturers say the spray works on dogs, grizzly bears, even sharks. Postal workers have been known to carry the spray to stop dogs

The Cincinnati Police Department videotaped a test on attack dogs. One time, a dog was sprayed without giving it an attack command. Another dog was sprayed after being given the attack command. The results were the same as in Phil Messina's human tests: The dog with a goal fought until the trainer told it to break, then it reacted to the spray. The other dog reacted right away.

"Goal orientation is the difference," says Messina.

#### Proper Use and Warnings

The greatest need for a pepper spray is when someone has a violent goal. However, that is the person least likely to be affected by the spray. Every woman and man who carries pepper sprays for personal safety needs to realize this and act accordingly.

Sgt. Scott Anderson of the Salem, Ore., Police Department worked with us and Phil Messina during the trial. He was instrumental in producing a training tape that was widely distributed in the late 1980's and early 1990's. He recommending changes in the training Salem provides its officers to account for what he learned.

"Saying 'nothing is 100-percent effective' was not an adequate warning to Officer Frank Ward," Anderson asserts. "People need to know that assailants with violent goals can work through the spray."

If Frank Ward knew what his widow knows now, maybe he would have done something differently on April 8, 1992. Maybe he could have celebrated with his twin boys on their fifth birthday, June 21, 1994, the day the trial against the sellers of the pepper spray concluded with a confidential, out-of-court settlement.

(Editor's Note: For more on police use of pepper spray, see LEN, Sept. 30, 1992, Oct. 31, 1992, May 15, 1993, and April 30, 1994.)

## Letters

### Reality check

To the editor:

The May 31, 1994, issue of Law Enforcement News contained an article about the Baltimore, Md., Police Department temporarily abandoning its residency policy for police officers.

Police Commissioner Thomas Frazier should be reminded that the residency requirement for metropolitan police departments was a result of data received from various Presidential commissions after the riots of the 1960's in this country. Many inner-city residents regarded police officers as occupying armies. They felt that the police came into their areas, wreaked havoc, and then retreated to their homes in the suburbs. The government commissions recommended the residency requirement, anticipating that if police officers had ties to the community by living in the neighborhood, they would have a stake in the community and what happened there.

To paraphrase an old cliche, "Those who forget history are doomed to repeat it."

SAMUEL GREENE  
Chief Investigator  
Cook County Public Defender  
Chicago, Ill.

#### Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.



Someday their prints will come:

# Child ID program is underutilized resource

Just a decade ago, virtually no serious attention was paid to the incidence of missing and exploited children. Today it's hard for anyone even re-

## BURDEN'S BEAT

By Ordway P. Burden

mately involved in law enforcement matters not to pay attention. Missing-child problems seem to crop up everywhere.

Take this space, for example. Without conscious intent, two recent columns have dealt with aspects of the missing- and exploited-child problem. The first was a report on Project Alert (America's Law Enforcement Retirees Team). It's a group of retired law enforcement people who volunteer their expertise to help the National Center for Missing and Exploited Children.

Not long after that, this column covered a luncheon meeting of the National Law Enforcement Council at which Secret Service Director Eljay B Bowron spoke. Although I chair the NLEC, I had no input into Bowron's choice of topic, which was the Secret Service's bringing its resources to bear

to help local police solve missing-child cases. The topic for this column is the National Fingerprint Program for Child Identification.

Unfortunately, too few law enforcement people are familiar with the agency. The National Fingerprint Program for Child Identification has an automated file of the fingerprints of some 40,000 children, which obviously could be useful in cases of missing and exploited children.

"We don't get as many calls as you might think we would," said the program's director, Diane G. Apa. "Ten calls would be high for a month. We've been trying to get the word out to more investigators to remind them to ask the parents if the child has ever been fingerprinted."

She pointed out that the parent might have forgotten that the child was fingerprinted 5 or 10 years ago, and if the investigator asks, it may jog the parent's memory. "Then the investigator will know to call us," Apa noted.

The National Fingerprint Program has collecting the prints of children under the age of 18 since Apa began it in 1983

The program maintains the only automated child-fingerprint repository in the nation. In some cases, the prints are sent in by local police departments. The fingerprint program also trains non-police volunteers in proper fingerprinting technique and lends out fingerprinting kits for those who need them. Organizations such as the Jaycees and Law Enforcement Explorer posts that are attached to police sheriff's departments sometimes do child fingerprinting and send the results to the National Fingerprint Program.

The NFP is attached to the Office for the Study of Child Victimization at the University of Illinois at Chicago. The program's chairman of the board is James P. Damos, retired police chief of University City, Mo., and former president of the International Association of Chiefs of Police.

At the time Diane Apa founded the National Fingerprint Program, she was a school teacher in Kirksville, Mo., and mother of two. Neither her own children nor her pupils were victims of abductions or exploitation, she said. "But through teaching school, I became very concerned about the safety and welfare of children," she explained.

"And it was about the time that Adam Walsh was abducted and murdered, and that got a lot of publicity."

Adam Walsh was the 6-year-old son of John Walsh, now the host of the TV show "America's Most Wanted," who was abducted from a shopping mall in Florida and killed in 1981.

"A few fingerprinting programs for kids were starting up then," Apa recalled, "but they were just making prints and sending them home. I could not make the connection on how that was going to help if they didn't have a record to compare the prints with."

Apa said she went to the local police and learned what it takes to classify prints and some of the technical aspects of fingerprinting. "They encouraged me to pursue the idea of an archive for children's fingerprints," she explained. The rest, as they say, is history.

All of the NFP's records are strictly confidential. No fingerprints are ever taken, kept, or given out for identification purposes without the consent of the child's parents or guardian. "The files are maintained, and available for law enforcement use with parents' permission, until the child turns 18," Apa said.

Given the magnitude of the problem

of missing and exploited children, the National Fingerprint Program has a way to go, with only 40,000 sets of children's fingerprints in the archive. There's only a small chance that the NFP can produce a set of prints for one of the estimated 360,000 children who are abducted each year — 354,000 by family members and 4,600 by strangers. But, of course, the archive might also be useful in identifying runaway and throwaway kids, who total nearly 600,000 each year, as well as other children who might be injured in accidents or natural disasters.

In any case, the National Fingerprint Program for Child Identification is growing steadily, thanks to the dedication of Diana Apa and the enthusiasm of some local police agencies and civic organizations.

*(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10544-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)*

## In the rush to recess:

# NYS to get its DNA data base after all

In a flurry of last-minute activity just before its summer recess, the New York Legislature on July 3 agreed to establish a statewide DNA data bank that will store genetic samples from convicted murderers, sex offenders and other felons.

And, in what Commissioner Rich and Gargiulo of the state's Division of Criminal Justice Services termed "landmark legislation," the Legislature approved the establishment of a Forensic Science Commission that will develop minimum standards for all aspects of that discipline, including the DNA data base.

"There is nothing anywhere in the country that I'm aware of, that sets up [something like this] as part of a statewide program for forensic services in quite the way that this does," Gargiulo told LEN. "I think this is going to be model landmark legislation."

The vote reversed a serious setback dealt to the proposal earlier this year when the Democratic majority in the Assembly defeated an attempt by Re-

publicans to dislodge the measure from committee, where it had languished all year. The Republican-controlled Senate had twice approved the program, but its failure to win support in the Assembly put its future in grave doubt. [See LEN, May 15, 1994.]

Opponents had expressed concerns about privacy issues, raised questions about the constitutionality of taking samples from inmates before they were paroled, and sought to have the data base regulated by the state Health Department. Supporters of the Republican version of the bill maintained that criminal justice or law enforcement agencies should oversee the program and argued that DNA samples from criminals should be taken during the prison-intake process, as is done in the 23 other states who have approved or are in the process of developing similar programs.

Authorities will gather and store samples of deoxyribonucleic acid, which carries genetic information that is unique to each human being and is

present in blood, semen, hair and other living tissue, from criminals convicted of violent felonies. The samples will be used to test for possible links between convicted criminals and unsolved crimes.

The Forensic Science Commission was created as part of a compromise aimed at resolving the issue of which agency would run the DNA program, Gargiulo said. Under the agreement, the Commissioner of Criminal Justice Services will chair the 14-member panel, while the Health Commissioner will serve as an ex-officio member.

The commission will be charged with developing minimum standards for laboratory accreditation, and qualifications for laboratory directors in all

of the forensic science disciplines such as serology, ballistics and drug analysis, the Commissioner added.

A seven-member subcommittee under the purview of the commission will examine DNA-related issues, Gargiulo said. The subcommittee must include among its members a molecular biologist, a population geneticist, a quality-assurance expert and a forensic scientist.

"They will make recommendations to the Forensic Science Commission as to accreditation standards and minimum standards for forensic DNA testing in public laboratories throughout the state," Gargiulo noted.

"It's a good piece of legislation," the Commissioner said. "It accom-

plishes all of the goals we wanted to accomplish, which were to have a sound system of setting up laboratory standards and accreditation for all forensic services, as well as and especially for DNA. And it also has the advantage of being able to create a DNA-identification index for the state that will work with other DNA-identification indexes that might be set up by the FBI or other states throughout the country."

The DNA program "was the only piece of priority criminal justice legislation that the Legislature ended up acting upon," Gargiulo noted [see sidebar]. The program itself will not be operational until accreditation and standards are in place, probably by January 1996, he added.

## Legislature's hits & misses on crime

### After 12 years, Pa. town rethinks gun-ownership law

Officials of a small Pennsylvania hamlet have repealed a 12-year-old local ordinance that had thrust the town into the thick of the ongoing national gun-control debate, by requiring all heads of households to own a gun.

The Borough Council of Franklin-town voted 5-2 on July 6 to repeal the ordinance, which had brought unwanted publicity to the town, located about 30 miles southwest of Harrisburg.

The ordinance was approved in 1982 as a symbolic gesture of support for the rights to own firearms in the town, where about half of the 375 residents are estimated to be gun-owners. The ordinance, which never applied to felons or those who supported gun-control measures, was based on a similar law

enacted in Kennesaw, Ga.

In recent months, Franklin-town residents debated the need for the ordinance. Opponents said it was dangerous, made the town the butt of jokes and opened it up to increased insurance rates to cover legal risks if someone was shot. Supporters, on the other hand,

insisted that the law was crafted as a rebuke to the gun-control movement by reinforcing residents' support for the right to own and bear firearms.

Mayor Robert Wolfe said before the council's action that he would veto any repeal of the ordinance. "The President, the Governor, everybody else in the world is working against us, trying to take our guns," said Wolfe, who said the issue should be decided by voters.

Thanks to last-minute wrangling by a Legislature eager to adjourn for the summer recess, New York state will get a DNA-testing and data base program. But it won't get a "three strikes" sentencing law, juvenile justice reform or an assault weapons ban. Those were just a few of the crime-related bills the Legislature failed to enact before the summer recess — some of which are sure to be reintroduced in the fall.

The Legislature rejected or failed to approve bills that would have:

• Mandated life without parole for some criminals convicted of a third violent felony — a proposal supported by Gov. Mario M. Cuomo, who dubbed it "three strikes, you're in";

• Banned two dozen military-style semiautomatic weapons and limited clip sizes for rifles and handguns;

• Required fingerprinting of juvenile suspects charged in some felonies;

• Made crimes motivated by bias

a separate offense;

• Allowed prosecutors not to specify exact dates in cases of continuing sexual abuse against children;

• Required those convicted of child sexual abuse charges to register in their municipality upon release from prison;

• Eliminated the requirement that prosecutors prove that accused drug dealers knew the weight of the drugs they sold or possessed;

• Placed restrictions on plea bargains for serious felonies;

• Legalized Mace and other chemical deterrents for self-defense purposes;

• Suspended the licenses of people under 21 who are convicted of drunken driving;

• Allowed rape victims to request an HIV test for their attackers;

• Toughened penalties for theft of a pet.

The Legislature did approve bills that:

• Prohibited a victim's manner of dress as admissible evidence in rape trials;

• Allowed judges to suspend prior to conviction the licenses of people charged with drunken driving;

• Required birth and school records of missing children to help locate abductors who enroll the children in another school district;

• Banned the sale of rolling papers and pipes to minors;

• Throw out a requirement that doctors predict whether terminally ill prison inmates will commit further crimes if they are paroled.

Some crime-related bills have already been signed into law by Governor Cuomo, including a broad anti-domestic violence initiative that requires police officers to arrest anyone suspected of seriously beating a spouse, another that upgrades to a felony a third offense within 10 years of driving while impaired by drugs and alcohol.

Cuomo also signed legislation that bans the sale of police uniforms to people not involved in law enforcement.

# Florida to clear prisons of illegal aliens

Officials in Florida are taking drastic measures to counter prison overcrowding. On June 29, the state's inmate population dropped by 24, with the deportation of 24 illegal aliens.

Nearly 500 more criminal aliens are

due to be released early from their prison sentences this year and sent back to their native lands, and the total could eventually reach 2,700.

"For millions of people around the world, arrival on these shores has al-

ways been a ticket to a better life in a prosperous country," Gov. Lawton Chiles said in a prepared statement. "But, for those criminal aliens who prey on our citizens, the only ticket we offer is for a one-way trip back to their own countries."

Most of the prisoners being released were convicted of drug trafficking. State officials say they have no plans to deport prisoners convicted of violent crimes.

Chiles said the action serves a dual purpose: expediting the deportation of criminal aliens and creating much-needed space in the state prison system for more dangerous offenders.

Of the more than 4,100 foreign-born nationals currently incarcerated in Florida, the U.S. Immigration and Naturalization Service verified 2,700 as criminal aliens. It costs Florida an estimated \$60 million a year to keep these criminal aliens in its prisons.

The deportation agreement, the first of its type in the country, was reached between the state and the INS in April, when Chiles and INS Commissioner Doris Meissner signed a Memorandum of Understanding that requires the Federal Government to assume custody of the nonviolent inmates and expedite deportation to their country of origin.

"Our first priority is to make Florida safer. This agreement gives us the ability to speed up the deportation of hundreds of non-violent criminal aliens in our prisons and to use those cells to lock

up additional violent criminals and to save taxpayers' dollars," Chiles said.

Under the plan, deported aliens will agree to remain outside the United States and not make any attempt to re-enter the country for a period determined for each inmate by the Florida Board of Executive Clemency. The inmates will receive a conditional commutation of the remaining time on their prison terms and can be sent back to prison to serve the remainder of their sentences if they violate the deportation agreement.

Before deportation orders are issued, the inmates must withdraw any pending appeals of convictions or sentences and any pending administrative appeal before the Board of Immigration Appeals. They are also required to assist the INS in obtaining travel documents from their respective governments or countries of origin or nationality.

While the deportations will create more space in Florida's prisons, those opposed to the deportations say the program sends the wrong signal to inmates. "The message here is we're going to send you back home," said State Treasurer Tom Gallagher, the only one of the Clemency Board's seven members who voted against the deportation plan. "If you're an illegal alien, you might as well get into the drug trafficking business and be a good guy in jail and we'll send you home."

The state's prosecutors reviewed each proposed deportation and persuaded the Clemency Board to rescind

12 offers of release. A spokesman for the prosecutors said they would prefer that the criminal aliens served the same sentences as Americans convicted in Florida.

"I find it distasteful," Jerry Hill, the president of the Florida Prosecuting Attorneys Association, told The New York Times. "I don't like it. But we're looking for the best thing for the people of the State of Florida under the circumstances."

The aliens will remain in custody of the Florida Department of Corrections until the date that a final order of deportation is issued and then be placed in custody of the INS for removal from the United States.

Chiles pledged to continue the deportations until "every criminal eligible for deportation leaves Florida."

## MOVING?

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## The NYPD gets religion, reversing stance on disputed police exhibit

Faced with the threat of a Federal discrimination lawsuit, New York police officials this month reversed an earlier decision that had denied a organization of Christian police officers permission to place an exhibit in the lobby of police headquarters.

Christine Lategano, a spokeswoman for Mayor Rudolph Giuliani, said July 5 that city attorneys had determined that the second-floor lobby of the building, where the exhibit was to be mounted, is "a public space." She said the group, Police Officers for Christ, would be permitted to set up an exhibit this fall.

The turnaround came one day before a deadline set by Police Officers

for Christ, which threatened to file suit in Federal court on July 6. The group made the threat last month after an organization of gay and lesbian police officers, the Gay Officers Action League, sponsored an exhibit to commemorate the 25th anniversary of the birth of the modern gay-rights movement.

The president of Police Officers for Christ, Floyd Johnson, an NYPD detective who had called the GOAL exhibit "an abomination," said his group would put up the now-approved exhibit in November, and it would include Bibles, photographs of the group's activities and testimonies of some of its 450 members.

GOAL president Carroll Hunter, a retired correction officer, said his group "wholeheartedly" supported the right of Police Officers for Christ to exhibit in the lobby.

"It's nice to be able to see them able to express themselves at One Police Plaza, as the other organizations do," Hunter said. "There's a place for them at the table right along with everyone else."

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fere," Malonee said. "You're not out there to do that; you can grab the radio and call for help."

A typical situation for a chaplain might entail pacifying children at an accident scene or counseling crime victims. They will also be asked to help officers deal with the trauma of violent crime scenes, Newman said.

"Historically, chaplains have been used on the incarceration side," Popejoy observed. "In recent years, there has been more of a demand in law enforcement because of the emphasis on CISD [critical incident stress debriefing]. Chaplains are used in these debriefings."

Allowing the chaplains to drive

police cruisers is the only liability the department is concerned with. "The main liability with them operating city vehicles is if they are involved in an accident. That's the only liability," Newman said.

At the same time that Knoxville police were inviting ministers to ride along on patrol, several of the ministers returned the favor by inviting the beat cops in their neighborhoods to visit their churches.

About 30 officers have attended services at the churches on their beats, both on and off duty, Lieutenant Malonee said. "It's strictly voluntary. We do not order them to go to any religious services."

## From the pulpit to the patrol car: Knoxville clergy form chaplain corps

Continued from Page 1  
sign," Newman said.

The chaplains' chief function will be to assist in communication and counseling, not give physical assistance, Newman said. But if an officer requests assistance, "they can step in and give him whatever assistance they deem necessary," Newman said.

"They're all warned before they get in the car: If an officer is getting the crap beat out of him, you do not inter-

Continued from Page 3

force, as many as 45 prostitutes might be on the strip at any given time. "Since April 4, no more than three prostitutes can be seen at one time," she told LEN.

The owner of a gas station on Van Buren measured the posse's impact another way. He told police the station's condom sales dropped \$700 after the first week of the "Adopt-a-Hooker Program."

Arpaio sent posse to Phoenix shopping mall last December to protect holiday shoppers from carjackers. The posse patrolled both on foot and in cars, and escorted hundreds of shoppers to their cars. "The people absolutely ate it alive," Hendershot said.

Interest in the posse program continues to grow, and Arpaio said the

posse's practicality is enormous, and that he will continue to find more uses for the volunteers. "I'm the only sheriff, especially here, but probably across the nation, that has taken the posse to a different dimension," he said.

Dean Moser, a spokesman for the National Sheriffs' Association, said many counties have similar programs, but they are often called citizens task forces, auxiliary units or reserves.

"It's a good program. It's a supplemental arm for the law enforcement community," he told LEN.

The success of Arpaio's posse program has generated international attention. The Sheriff said he has received inquiries from dozens of law enforcement agencies across the United States, Europe, Asia and Australia.

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# Upcoming Events

## SEPTEMBER

**7. Drug Identification.** Presented by Barton County Community College. Great Bend, Kan. \$34.

**7-9. The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates Inc. Jacksonville, Fla. \$495.

**7-9. Police: The Internal Affairs Function.** Presented by Rollins College. Orlando, Fla. \$295

**7-9. Street Survival '94.** Presented by Calibre Press. Appleton, Wis. \$159/\$135/\$85.

**7-9. Field Training for Communications Officers.** Presented by the Institute of Police Technology & Management Jacksonville, Fla. \$325

**8-9. Narcotics Investigation.** Presented by Barton County Community College. Great Bend, Kan. \$50.

**8-9. Criminal Intelligence Operations.** Presented by Law Enforcement Training Systems. Roanoke, Va. \$250.

**10. Successful Promotion.** Presented by Davis & Associates Inc San Jose, Calif. \$125.

**12. "Ice Storm": Smokable Speed & Much More.** Presented by Investigators Drug School Fort Lauderdale, Fla. \$95.

**12. Oleoresin Capsicum Aerosol Control Systems.** Presented by the National Law Enforcement Training Center. Kansas City, Mo. \$150.

**12. Knife Defense & Disarming System.** Presented by the National Law Enforcement Training Center. Kansas City, Mo. \$150

**12. TAS Expandable Police Baton.** Presented by the National Law Enforcement Training Center. Kansas City, Mo. \$195

**12-14. Tactical Edged Weapons Defense.** Presented by Modern Warrior Inc Lindenhurst, N.Y.

**12-14. Street Survival '94.** Presented by Calibre Press. Peoria, Ill. \$159/\$135/\$85

**12-14. Drug-Trak IV Training.** Presented by the Institute of Police Technology & Management Jacksonville, Fla. \$395.

**12-14. DUI Standardized Field Sobriety Testing.** Presented by the Institute of Police Technology & Management Bartow, Fla. \$325

**12-16. 20th Annual International Outlaw Motorcycle Gang Investigators Conference.** Presented by the San Diego Sheriff's Office and the Bureau of Alcohol, Tobacco & Firearms. San Diego

**12-16. Crime & Abuse Against the Elderly.** Presented by the National Crime Prevention Institute. Louisville, Ky.

**12-16. Investigation of Pedestrian Accidents & Human Factors.** Presented by the Institute of Police Technology & Management Phoenix, Ariz. \$450.

**12-16. Police Internal Affairs.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450.

**12-16. Advanced Narcotic Investigation.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450.

**12-16. Resolving Uncleared Homicides.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$495.

**12-16. Managing Criminal Investigators & Investigations.** Presented by the Institute of Police Technology & Management Jacksonville, Fla. \$495.

**12-16. Inspection & Investigation of Commercial Vehicle Accidents.** Presented by the Institute of Police Technology & Management. Tallahassee, Fla. \$450

**12-23. Accident Investigation I.** Presented by the Northwestern University Traffic Institute Evanston, Ill. \$700

**12-23. Supervision of Police Personnel.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$700

**13-14. Police Background Investigations.** Presented by Law Enforcement Training Systems. Falmouth, Mass. \$250

**13-14. Handgun/Long Gun Retention & Disarming System.** Presented by the National Law Enforcement Training Center. Kansas City, Mo. \$275.

**13-16. Police Interview & Interrogation**

**Techniques.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$600

**14-16. Arrest, Search & Seizure: An Update.** Presented by Rollins College Orlando, Fla. \$350.

**15-16. Firearm Retention & Gun Disarming.** Presented by Modern Warrior Inc. Lindenhurst, N.Y.

**15-16. Lateral Vascular Neck Restraint System.** Presented by the National Law Enforcement Training Center. Kansas City, Mo. \$275.

**15-16. Law Enforcement Labor Relations.** Presented by Law Enforcement Training Systems. Falmouth, Mass. \$250.

**16-19. Advanced Yacht & Maritime Security.** Presented by the Executive Protection Institute. Baltimore, Md. \$1,195

**19-20. Administration of a Small Police Department.** Presented by Barton County Community College. Great Bend, Kan. \$50

**19-21. Police Civil Liability & the Defense of Citizen Misconduct Complaints.** Presented by Americans for Effective Law Enforcement. Las Vegas. \$575

**19-21. Fraud Training: Financial Investigation Methods to Prove Fraud & Crimes.** Presented by the Investigation Training Institute New York. \$595.

**19-21. The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates Inc. Indianapolis \$495

**19-21. Computerized Traffic Accident Reconstruction I: Introduction to EDCRASH.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$350

**19-21. Deadly Physical Force: Police-Involved Shootings.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$400.

**19-23. Crime & Loss Prevention I.** Presented by the National Crime Prevention Institute. Louisville, Ky.

**19-23. Basic Crime Scene Technician Workshop.** Presented by the Northwestern

University Traffic Institute. Evanston, Ill. \$600

**19-23. Advanced Hostage Negotiations.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500

**19-23. Law Enforcement Fitness Instructor Certification.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500.

**19-23. Investigation of Motorcycle Accidents.** Presented by the Institute of Police Technology & Management. Phoenix, Ariz. \$450.

**19-23. Homicide Investigation.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450.

**19-23. Police Applicant Background Investigation.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

**19-23. Investigation of Pedestrian Accidents & Human Factors.** Presented by the Institute of Police Technology & Management. Tallahassee, Fla. \$450

**19-23. Seminar for the Field Training Officer.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

**21-22. Third Annual Training Conference on Police Professionalism.** Presented by the New York State Division of Criminal Justice Services, Bureau for Municipal Police. Binghamton, N.Y. \$110

**21-23. Police in Crisis: Molding Public Opinion.** Presented by Rollins College Orlando, Fla. \$265.

**22-23. Computerized Traffic Accident Reconstruction II: Introduction to EDCAD.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$250

**22-23. Non-Deadly Force: Defense Without Damage.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$200

**22-23. Streets Gangs: The New Organized Crime.** Presented by Law Enforcement Training Systems. Braintree, Mass. \$250

**25-29. Special Prosecutions (White-Collar Crime).** Presented by the National College of District Attorneys. Reno, Nev.

**26-27. High-Risk Warrant Service.** Presented by Barton County Community College. Great Bend, Kan. \$50

**26-28. The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates Inc. Denver. \$495

**26-28. The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates Inc. Des Moines, Iowa. \$495

**26-30. Advanced Hostage Negotiations.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

**26-30. Criminal Patrol Drug Enforcement.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

**26-30. Advanced TEAM-UP Database Management.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

**26-30. Basic Financial Crime Investigation.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500

**26-30. Defense Without Damage: Instructor Training.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$650

**26-30. Practical Crime Scene Workshop.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$650

**26-Oct. 7. Accident Investigation II.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$700

**26-Oct. 7. Crime & Loss Prevention II: Technology & Programming.** Presented by the National Crime Prevention Institute. Louisville, Ky.

**26-Dec. 2. School of Police Staff & Command.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$2,200

## For further information:

(Addresses & phone/fax numbers for organizations listed in calendar of events.)

**Americans for Effective Law Enforcement, Inc.**, 5519 N. Cumberland Ave., #1008 Airport P.O. Box 66454, Chicago, IL 60666-0454. (312) 763-2800.

**Barton County Community College,** Attn James J. Ness, Director, Administration of Justice Programs, R.R. 3, Box 136Z, Great Bend, KS 67530-9283. (316) 792-1243. Fax. (316) 792-8035

**Calibre Press,** 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727 (800) 323-0037

**Davis & Associates,** P.O. Box 6725, Laguna Niguel, CA 92607. (714) 495-8334

**Executec Internationale Corp.,** P.O. Box 365, Sterling, VA 20167 (703) 709-5805 Fax. (703) 709-5807

**Executive Protection Institute,** Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611 (703) 955-1128.

**Frederickson Consulting Inc.,** P.O. Box 15608, Minneapolis, MN 55415 (612) 884-0249

**Institute of Criminal Justice Studies,** Southwest Texas State University, West Campus, Canyon Hall, San Marcos, TX 78666-4610 (512) 245-3030 Fax (512) 245-2834

**Institute of Police Technology & Management,** University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216 (904) 646-2722.

**International Association of Law Enforce-**

ment Planners, c/o David Foster, Jackson Police Department, P.O. Box 1687, Jackson, WY 83001-1687. (307) 733-1430. Fax: (307) 739-0919.

**International Homicide Investigators Association,** P.O. Box 6790, Quantico, VA 22134-0670 (703) 670-4040. Fax: (703) 670-0407

**Investigation Training Institute,** P.O. Box 669, Shelburne, VT 05482. (802) 985-9123.

**Investigator's Drug School,** P.O. Box 1739, Fort Lauderdale, FL 33312 Fax: (305) 753-9493

**Law Enforcement Training Systems,** P.O. Box 822, Granby, CT 06035 (203) 653-0788

**Modern Warrior Inc.**, 711 N. Wellwood Ave., Lindenhurst, NY 11757. (516) 226-8383

**National College of District Attorneys,** University of Houston Law Center, Houston, TX 77204-6380 (713) 743-NCDA Fax. (713) 743-1850.

**National Crime Prevention Institute,** Bldgman Hall, University of Louisville, Louisville, KY 40292. (502) 588-6987.

**New York State Division of Criminal Justice Services,** Bureau for Municipal Police, Accreditation Unit, Executive Park Tower, Albany, NY 12203-3764 (518) 485-1415.

**Youth Change,** 275 N. 3rd St., Woodburn, OR 97071 (503) 982-4220. Fax. (503) 982-7910.

555 Clark St., P.O. Box 1409, Evanston, IL 60204. (800) 323-4011

**R.E.B. Security Training Inc.**, P.O. Box 697, Avon, CT 06001 (203) 677-5936. Fax: (203) 677-9635

**John E. Reid & Associates Inc.**, 250 S. Wacker Dr., Suite 1100, Chicago, IL 60606. (800) 255-5747 Fax: (312) 876-1743.

**Rollins College,** Public Safety Institute. 1000 Holt Ave., #2728, Winter Park, FL 32789-4499. (407) 647-6080 Fax (407) 647-3828.

**San Diego Sheriff's Office,** Attn: Motorcycle Gang Training Conference, P.O. Box 420430. (619) 495-5575

**Southwestern Law Enforcement Institute,** P.O. Box 830707, Richardson, TX 75083-0707 (214) 690-2394 Fax (214) 690-2458

**St. John's University,** 118 Marillac Hall, 8000 Utopia Pkwy., Jamaica, NY 11439 (718) 990-6052

**TEEX — Law Enforcement & Security Training Division,** Texas A&M University System, College Station, TX 77843-8000 (800) 423-8433 or (409) 845-6391. Fax (409) 862-2788

**University of Delaware,** Division of Continuing Education, Attn: Jacob Haber, 2800 Pennsylvania Ave., Wilmington, DE 19806 (302) 573-4487.

**Youth Change,** 275 N. 3rd St., Woodburn, OR 97071 (503) 982-4220. Fax. (503) 982-7910.

## COMMISSIONER OF PUBLIC SAFETY

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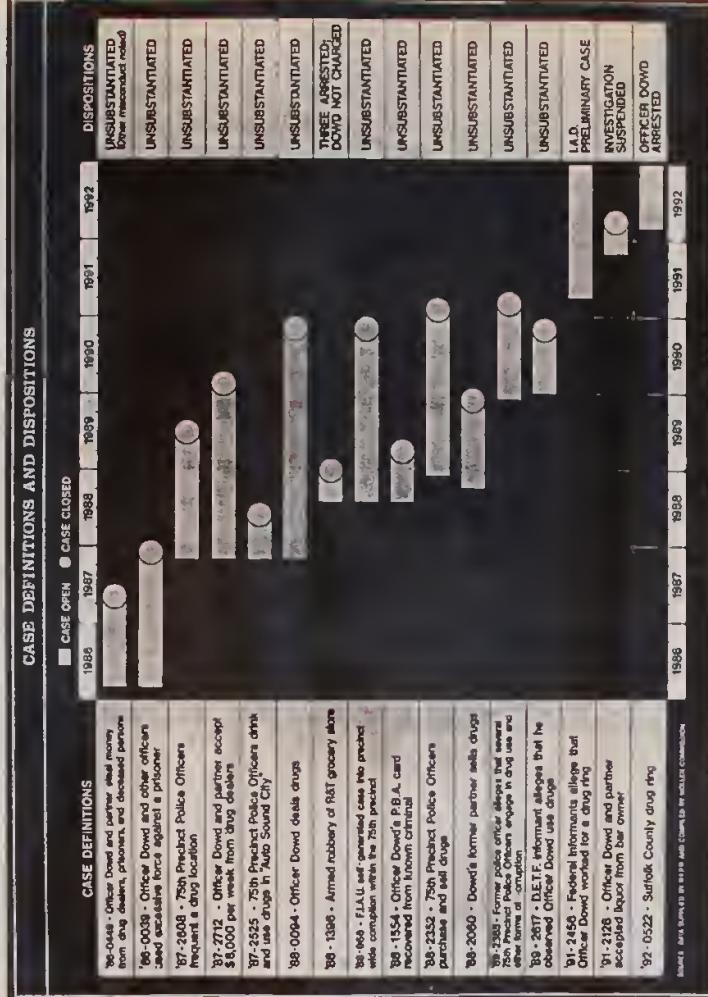
Residency in the City of Mount Vernon required for appointment, but not for application. Send résumé, salary history and references no later than **August 12, 1994**, to: Office of the Mayor, Attn.: Virginia Lynch Landy, City Hall, Roosevelt Square, Mt. Vernon, NY 10550. No phone calls. EEO/MF.

# Law Enforcement News

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John Jay College of Criminal Justice/CUNY  
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After nearly two years of investigating the NYPD's worst corruption scandal in two decades, a blue-ribbon panel issues its prescription for reform — and calls for some tough medicine. **On Page 1.**

## Fixing the NYPD:

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